

EVIDENCE

TAKEN BY

HER MAJESTY'S COMMISSIONERS OF INQUIRY

INTO THE CONDITIONS OF

THE CROFTERS AND COTTARS

IN THE

HIGHLANDS AND ISLANDS OF SCOTLAND

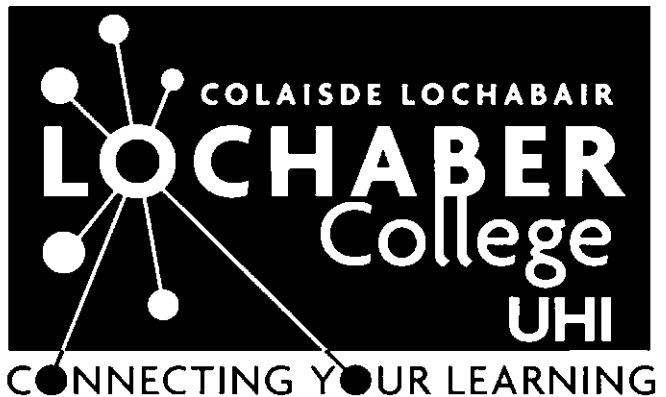
REPORT with APPENDICES

PRESENTED TO BOTH HOUSES OF PARLIMENT BY COMMAND OF HER MAJESTY



Digitised and Presented in PDF format by Lochaber Collage Mallaig

2007



CONTENTS.

	PAGE
WARRANT APPOINTING COMMISSIONERS,	v
REPORT OF THE COMMISSION,	1
LAND,	10
FISHERIES AND COMMUNICATIONS,	53
Piers and Harbours,	55
Boats and Fishing-Gear,	59
Facilities of Communication,	61
Alleged Grievances,	65
EDUCATION,	66
JUSTICE,	82
DEER FORESTS AND GAME,	84
EMIGRATION,	97
CONCLUSION,	108
MEMORANDA BY COMMISSIONERS—	
Memorandum by Sir Kenneth S. Mackenzie, Bart.,	113
" Donald Cameron, Esq., of Lochiel, M.P.,	119
" C. Fraser-Mackintosh, Esq. of Drummond, M.P.,	137

APPENDICES.—(See separate Contents at end of Report).

WARRANT appointing COMMISSIONERS and
SECRETARY.

VICTORIA REG.

VICTORIA, by the Grace of God of the United Kingdom
of Great Britain and Ireland, Queen, Defender of the
Faith :

To Our right trusty and well-beloved Councillor FRANCIS
BARON NAPIER, Knight of Our Most Ancient and Most
Noble Order of the Thistle ; Our trusty and well-beloved
Sir KENNETH SMITH MACKENZIE, Baronet ; Our trusty and
well-beloved DONALD CAMERON of Lochiel, Esquire ; Our
trusty and well-beloved CHARLES FRASER-MACKINTOSH,
Esquire ; Our trusty and well-beloved ALEXANDER
NICOLSON, Esquire, Doctor of Laws, Advocate, Sheriff-
Substitute of the Stewartry of Kirkeudbright ; and Our
trusty and well-beloved DONALD MACKINNON, Esquire,
Master of Arts, Professor of Celtic Languages, History,
Literature, and Antiquities in the University of Edinburgh,
Greeting :

Whereas We have deemed it expedient that a Commis-
sion should forthwith issue to inquire into the condition
of the Crofters and Cottars in the Highlands and Islands
of Scotland, and all matters affecting the same, or relating
thereto ;

Now know Ye that We, reposing great trust and
confidence in your knowledge, discretion, and ability, have
nominated, constituted, and appointed, and do by these

presents nominate, constitute, and appoint You, the said Francis Baron Napier, Sir Kenneth Smith Mackenzie, Donald Cameron of Lochiel, Charles Fraser-Mackintosh, Alexander Nicolson, and Donald MacKinnon to be Our Commissioners for the purposes of the said inquiry.

And for the better enabling you Our said Commissioners to make the said inquiry, We do by these presents authorize and empower you, or any three or more of you, to call before you or any three or more of you, such persons as you may judge necessary, by whom you may be the better informed of the matters herein submitted for your consideration, and every matter connected therewith, and also to call for, have access to, and examine all such books, documents, papers, or records as you shall judge likely to afford you the fullest information on the subject of this Our Commission; and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

And We do further by these presents authorize and empower you, or any three or more of you, to visit and personally inspect such places as you may deem expedient for the more effectual carrying out of the purposes aforesaid.

And Our further will and pleasure is that you, or any three or more of you, do with as little delay as possible report to Us under your Hands and Seals upon the matters referred to you as aforesaid, and that you may have power to certify to Us from time to time your several proceedings in respect of the matters aforesaid, if it may seem expedient to you so to do.

And We do further will and command, and by these presents ordain, that this Our Commission shall continue in full force and virtue, and that you Our said Commissioners, or any three or more of you, may from time to

time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And for the purpose of aiding you in such matters, We hereby appoint Our trusty and well-beloved MALCOLM M'NEILL, Esquire, to be Secretary to this Our Commission.

IN WITNESS WHEREOF We have ordered the Seal appointed by the Treaty of Union to be kept and made use of in place of the Great Seal of Scotland to be appended hereto.

Given at Our Court at Saint James's, the seventeenth day of March, in the year one thousand eight hundred and eighty three, and in the forty-sixth year of Our Reign.

Per Signaturam manu S. D. N. Regina supra scriptam.

Sealed at Edinburgh, the twenty-second day of March, in the year one thousand eight hundred and eighty three.

*(Signed) JOHN BELL,
Deputy Keeper of the
Sul. £80 Scots.*

*Written to the Seal and registered
the twenty-second day of
March 1883.*

*(Signed) JOHN KIRK,
Director of Chancery.*

TO THE

QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY—

Your Majesty's Commission, bearing date the 22nd of March 1883, having directed us to inquire into the condition of the Crofters and Cottars in the Highlands and Islands of Scotland, and all matters affecting the same or relating thereto, we have during the course of last summer devoted ourselves as we thought most expedient to the performance of the duty committed to us by Your Majesty's commands, and we have now the honour to submit the following Report:—

The nature of the inquiry with which we were entrusted rendered it desirable that our proceedings should be prosecuted in the localities concerned, and in public, while the state of popular feeling existing at the time indicated the Island of Skye as the point at which they should be commenced. Your Majesty's ship 'Lively' having been placed at our disposal, we embarked at Oban on the 5th of May, and our first meeting was held at the Braes, near Portree, on the 8th of the same month. The inquiry in Skye and the Long Island was continued until the middle of June, but our proceedings were then suspended in consequence of the loss of the 'Lively,' and it was not until the 13th of July that we were enabled to renew our labours, commencing at Lerwick, having been meanwhile provided with another vessel by Your Majesty's Government. The islands of Shetland and Orkney, the northern and western shores of Sutherland, the western seaboard of Ross-shire, Inverness-shire, and Argyllshire, with its island dependencies, were then successively visited, and the engagement of the 'North Star' having expired on the 11th of August, we again broke off work at Lismore on the 13th. On the 4th of October we re-assembled at Lybster in Caithness, from which we passed to the interior and southern parts of Sutherland, from thence to the district of Easter Ross, and eventually to Inverness, the valley of the Spey, Glasgow, and Edinburgh, concluding the active part of our mission on the 24th of October, with the exception of a short visit paid to Tarbert on Lochfyne on the 26th of December. In the course of the several circuits above mentioned, undertaken in the eight counties in which the interests of the crofters and cottars are most strongly represented, we convoked, by public invitation, 71 meetings at sixty-one stations, and received the testimony of 775 persons.

It is our agreeable duty to record the obliging assistance which we experienced in the execution of Your Majesty's gracious commands on the part of the local authorities, and from all orders

of a community unanimously devoted to Your Majesty's person and Government, though agitated by the discussion of questions nearly affecting the welfare of the class to which our attention in virtue of our Commission was specially addressed.

3 Before proceeding to the material points of discussion, it is necessary that we should offer some remarks on the vast body of testimony which is attached to this report, testimony which has been partially disseminated through the channel of the press, and which cannot have failed to produce some impression on the opinions and feelings of the country. In judging of the validity of much of this evidence, we shall do well to remember that these depositions, regarding acts and incidents often obscure and remote, are in many cases delivered by illiterate persons speaking from early memory, or from hearsay, or from popular tradition, fleeting and fallacious sources even when not tinged by ancient regrets and resentments, or by the passions of the hour. But here, in addition to causes of infirmity which would apply to miscellaneous testimony offered anywhere, not on oath, and not in the face of a court of justice, we have the fact that the progress of the Commission was anticipated by agents enlisted in the popular cause. Intervention from without of this character was to be expected in a free country, and it may not have been without justification, and even utility, among a population in a dependent and precarious condition, unused to combination for a public purpose. From two of the persons referred to, of Highland birth, we have received assurances that their influence was not employed to intensify irritation, but rather in an opposite sense. We are willing to believe that there was no conscious incentive to misstatement, nor shall we deny to the individuals above mentioned, irrespective of their opinions and connections, a genuine zeal for the good of their countrymen. It is obvious, however, that a preparatory manipulation of the sources of evidence could not be conducted without some excitement, that it may have been attended with an ardent desire to make out a pre-conceived case. Many of the allegations of oppression and suffering with which these pages are painfully loaded would not bear a searching analysis. Under such a scrutiny they would be found erroneous as to time, to place, to persons, to extent, and misconstrued as to intention. It does not follow, however, that because these narratives are incorrect in detail, they are incorrect in colour or in kind. The history of the economical transformation which a great portion of the Highlands and Islands has during the past century undergone does not repose on the loose and legendary tales that pass from mouth to mouth; it rests on the solid basis of contemporary records, and if these were wanting, it is written in indelible characters on the surface of the soil. Changes of this nature, going to the very foundation of social and domestic life, are not anywhere accomplished without some constraint, resistance, and distress, and if the instances produced for our information are not specifically and literally true, they are akin to truth. In making these reservations and distinctions in regard to the accuracy of the evidence submitted to our notice, it is right to add that even among the poorest and least educated class who came before us there were many examples of candour, kindness, and native intelli-

Evidence,
p. 2701, Q.
41153: P.
3862, Q. 44494
et seq.

gence, testifying to the unaltered worth of the Highland people. The depositions of the superior order of witnesses, embracing proprietors, factors, farmers, clergymen, and members of the other learned professions, contain much that is valuable in connection with the industrial history and moral and physical condition of the population, subject to the powerful influences of prepossession or interest belonging to their several conditions of existence and employment.

It has been our desire to supplement oral evidence by tabulated statistical returns illustrative of the conditions of land tenure in the past and present. For this purpose certain forms of inquiry were circulated, which will be found in the appendix. We regret that it has not been possible to obtain the information solicited with entire fulness and accuracy, partly owing to the expense which would have been incurred in order to complete these statements, partly in consequence of defective knowledge or ability among those to whom our inquiries were transmitted, occasionally, it may be, in consequence of misapprehension on the part of the smaller tenants as to the motives which prompted the request for information. Notwithstanding these deficiencies in the returns thus supplied, we trust that they may still be found of material interest and value.

On a general review of the positive information which we are enabled to supply, we are constrained to avow that it is not commensurate to the importance and complexity of the subject-matter of our Commission, and that our conclusions are in no small measure founded on impressions derived from personal observation, from the opinions of men of competent authority, from books, and from previous familiarity with the interests at issue.

The classes whose condition we have been directed to study are qualified as crofters and cottars. By the word crofter is usually understood a small tenant of land with or without a lease, who finds in the cultivation and produce of his holding a material portion of his occupation, earnings, and sustenance, and who pays rent directly to the proprietor. The term cottar commonly imports the occupier of a dwelling with or without some small portion of land, whose main subsistence is by the wages of labour, and whose rent, if any, is paid to a tenant and not to the landlord. The crofter is a small farmer who may live partly by the wages of labour; the cottar is a labourer who may have some share in the soil. But these definitions are deceptive, for there are crofters who are sub-tenants under tacksmen, and there are many cottars who pay rent to the owner. The distinction between the two classes is more easily felt and understood than delineated. Nor is a strict definition necessary. For the purposes of this inquiry and report we limit the class of crofters to tenants paying not more than £30 annual rent, but we are unable to fix any point in rental below which the crofter descends into the cottar class.

The difficulties which the small tenantry of the Highlands and Islands experience in the prosecution of the forms of industry which prevail among them are varied in kind and intensity by the accidents of physical nature, by the historical development of the laws and customs of the country, and by the qualities of race. Not much is absolutely homogeneous throughout the districts to which we have carried our inquiries. Nevertheless, there are certain

4

5

reference
6
of cottars

||

7

generic features in the pursuits and condition of the labouring classes which may be discovered, with local modification, over the whole area of our survey, and which are susceptible of being dealt with in one common scheme.

8 The capital sources of subsistence and occupation throughout the Highlands and Islands are farming and fishing, with the simple trades and arts depending on them. Mining and manufacturing industries, in the larger sense, with all the complex moral and material problems associated with those conditions of existence, are here unknown.

9 In considering the circumstances and prospects of a population subject to the conditions of life indicated above, it would not be possible or equitable to exclude all reference to their social state in former times. Men in all countries are disposed to discover motives for pride or discontent in the contemplation of the past, and the Highlanders of Scotland are certainly not less than others inclined to this indulgence of retrospective fancy. The delegates have accordingly not failed to bring all the features of distress and dependency in their actual existence into marked contrast with the happier conditions and higher privileges which they believe to have prevailed in a preceding age. It seems indispensable for us to subject these impressions, as briefly as possible, to the test of reason, and to state in what respects they are, in our opinion, supported by probability or proof, and in what respects they are destitute of foundation. In attempting this part of our task, it is fortunately not necessary to enter upon any controversial disquisition as to the state of the people or the distribution of proprietary rights at a remote period. To this argument we have not been invited by the witnesses who have appeared before us, and it would not have any practical bearing on the subject matter of our inquiry. In reverting to the earlier condition of the country and its population, the delegates did not for the most part go further back than the interval between the fall of the clan system in the middle of the last, and the great clearances for sheep farming completed in the first quarter of the present century. In referring to alleged deprivation of land rights, if we may except a few ambiguous utterances, they urged no claim to property in the soil, in the strict sense, but rather to security of tenure as occupiers, at a customary rent or a rent fixed by some impartial authority.

10 The conception formed by the people of the condition of their forefathers a hundred years ago, derived from tradition and from the fugitive writings of the present time, appears to present the following picture:—A large extent of arable and pasture land held by prosperous tenants in townships, paying a moderate rent to the proprietor; a sufficiency of grain grown, ground, and consumed in the country, in some places with an overplus available for exportation; cattle in numbers adequate to afford milk in abundance and young stock for sale; horses for the various purposes of rural labour; sheep, which yielded wool for home-spun and home-woven clothing of a substantial quality, and an occasional supply of animal food; fish of all kinds freely taken from the river and the sea. The population, thus happily provided with the simple necessaries of rustic life, are represented as contented with their lot, deeply

attached to their homes, but ready to devote their lives to the service of the Crown and the defence of their country.

Evidence,
p. 61 *et passim*.

Of the terms under which the smaller tenants held their possessions no definite account is presented, but it is assumed that they were entitled to security of tenure, subject to rent and services, as the descendants or successors of those subordinate members or dependants of the family, who in former ages won the land for the clan and maintained the fortunes of the chief by their swords. This claim to security of tenure is held to have been in some sort transmitted to existing occupiers.

Evidence,
Q. 2820, 5535
5564 9398,
10067, &c.,
&c.

If the picture thus submitted is a faithful likeness of any phase of popular life that ever existed in the northern parts of Scotland, it could only be in fortunate localities and in favourable seasons. That it contains some of the lineaments of truth must be admitted, but it is a view drawn without a shadow, and offers in many respects a striking deviation from the dark realities portrayed in the narratives of contemporary observers, in the statistical accounts compiled by the clergy in the last decade of the eighteenth century, and in the notices of estate management preserved in the families of hereditary proprietors. There have been in some districts from an ancient date small tenants holding farms in common, and paying rent direct to the proprietor. Such undoubtedly existed in considerable numbers in the latter half of the last century. In these cases the small tenants occupying large areas at low money rents, and little vexed by services to the landlord, who was remote or indulgent, no doubt enjoyed a life of tolerable ease and abundance, diversified from time to time by the deprivations caused in years of scarcity. Of such a state of existence there are some indications, which it is consolatory to identify among the painful records of penury and oppression which form the burden of the contemporary literature devoted to the subject. The larger proportion of the land in the Highlands and Islands was, however, held by tacksmen or leaseholders from the proprietor or chief, and the mass of the cultivators lived under their sway as subtenants at will, paying rent in money, kind, and service. The tacksmen were usually gentlemen of the country, members of the family or clan, of good education, resident on the land, connected with the peasantry by sentiment and blood. Some partook in a great measure of the character of middlemen, paying a small rent to the owner of the soil, receiving a larger rent from the cultivators, and supporting themselves and their families on the difference, aided by pensions or half pay, for many in this class had passed their youth and middle age in the profession of arms; others were themselves active farmers on a greater or less scale, breeding and selling cattle, and cultivating their arable land by the customary, sometimes by the unlimited service, of the subtenants, without money wages. Below the subtenants were the cottars, and below these the 'scallag' or farm labourer. In this scheme of society much would, of course, depend on the individual character of the tacksmen. Some would be careless, some would be benevolent, some intelligent and enterprising, votaries of innovation and improvement; but it is impossible to resist the cogency of contemporary testimony; not a few were exacting task-

App. A, c.
p. 490 *et seq.*

masters, habitually severe, occasionally unscrupulous. The temper of the times was rough and stern. The small occupiers were more widely and equally distributed than they are now, something of the patriarchal system lingered after feudal obligations were abrogated, a superabundance of hands were summoned to intermittent labour, and the mixed cereal cultivation and cattle breeding of the period preceding the era of sheep required a greater number of workers quickly available for the emergencies of seed time and harvest. The people lived in groups or communities externally much as they do at present, with arable and pasture lands in common, depending partly on fishing, partly on farming, with the alternations of plenty and poverty, inseparable from a life so deeply affected by the inconstancy of sea and sky. The cottars were merely a poorer sort of sub-tenants, with less land and less stock, the dependants of dependants. Of the farm labourers we have different accounts,—some describing their state as preferable to that of the cottars, while others are fitted to arouse the most poignant feelings of commiseration. At no time that we know of was the cereal production of the Highlands as a whole equivalent to the consumption of the inhabitants. Importations of grain were frequent and considerable, and the cost of food brought from more fertile districts was formerly defrayed, as it is now, by the sale of live stock. It may be doubted whether enlistment in the regular army was for any length of time generally popular or entirely spontaneous. The evidence on this subject is conflicting. Martial traditions and hereditary attachments on the part of the tenantry, transmitted authority and personal popularity on the part of the proprietor or chief, had no doubt a preponderant influence in eliciting those contributions to the national defence before the American war, which we now regard with admiration and wonder. Promises of favour on one side, and dread of displeasure on the other, in connection with the land were, towards the end of the last and at the beginning of the present century, when many Highlanders enlisted, perhaps more operative causes.

App. A, c., p.
509 *et seq.*

13

The following statement is offered as a general view of the advantages and disadvantages attached to the condition of the sub-tenant in the past, compared with those belonging to the condition of the crofter of the present, in many cases his representative. The sub-tenant had often the benefit of more room; in this case he held a larger arable area, by which cultivation could be suspended, and the productive properties of the soil, in consequence, to some extent preserved. On the vast unappropriated waste he could pasture a greater number of live stock; he possessed the potato in a more prolific and reliable condition as a main source of sustenance; in the manufacture of kelp he found the means of paying his money rent. He had a greater freedom in regard to the natural produce of the river and the moor. The intervals of leisure were passed with greater cheerfulness among a primitive people, to whom hardships were familiar, who enjoyed their own traditional forms of physical and intellectual recreation, and whose minds were not embittered by an intelligent envy of the welfare of others, or by the belief in rights from which they were debarred. The various orders of society were more fully represented in the resident community; the natural leaders of the people lived among them.

These benefits were greatly outweighed by definite or unlimited services, often relentlessly exacted from men and cattle in seasons when labour was most valuable to the people for their own subsistence; by Government regulations onerous to industry, like the taxes on salt and coals; by restrictions on foreign importation, oppressive to those who did not produce provisions enough for their own support; by impediments to movement and traffic, which left the cultivator a prey to the cupidity of a local monopolist; by ignorance and indigence, which attached him to the soil and rendered him the helpless vassal of a local master; by the delays, sufferings, and terrors incidental to distant voyages and a change of country. We may add to these causes of distress, that in the absence of a benevolent proprietor, or impartial factor, justice was in the remoter parts unattainable; the complaints of the poor were unheard, their wrongs unredressed.

App. A. c

The crofter of the present time has through past evictions been confined within narrow limits, sometimes on inferior and exhausted soil. He is subject to arbitrary augmentations of money rent, he is without security of tenure, and has only recently received the concession of compensation for improvements. His habitation is usually of a character which would almost imply physical and moral degradation in the eyes of those who do not know how much decency, courtesy, virtue, and even mental refinement, survive amidst the sordid surroundings of a Highland hovel. The crofter belongs to that class of tenants who have received the smallest share of proprietary favour or benefaction, and who are by virtue of power, position, or covenants, least protected against inconsiderate treatment. On the other hand, the crofter has been brought into direct relations with the landlord, which by common assent is preferable to sub-tenancy; he has got higher prices, higher wages, greater facilities of local intercourse, better access to external labour. Except in very rare cases, he is exonerated from unpaid services, and where such survive, they are for the most part in the interest of the holding or the township. All burdens on native industry and foreign importation have been long since removed. The shackles of local dependency are falling away. If the crofter and crofting fishermen are not entirely emancipated from compulsory custom, truck, barter, and payment in kind, these trammels are being removed by the altered conditions of society. Provisions have been made for popular education which, when better appreciated and further aided, will eventually lay open the whole world with all its resources and attractions to the sight of the most secluded inhabitant of the glens. Steam and telegraphic communication have already done much to connect the British and even the continental markets with the remotest seats of production, and the same means may be rendered more effectual for the same purposes. The material risks and difficulties connected with emigration are daily diminishing. The benefits of public justice have been extended. Sanitary regulations, medical assistance, and poor law relief have been introduced, and the people of the Highlands and Islands, far from being regarded with indifference, attract a large share of public solicitude, and are surrounded by the active sympathies of their countrymen settled in the great marts of

44

|||

industry in this country, or dispersed over the whole colonial dominion of Great Britain.

Evidence,
pp. 149, 301,
303, 582, 643,
&c., &c.

15

The opinion so often expressed before us that the small tenantry of the Highlands have an inherited inalienable title to security of tenure in their possessions, while rent and service are duly rendered, is an impression indigenous to the country, though it has never been sanctioned by legal recognition, and has been long repudiated by the action of the proprietor. Neglected by earlier and succeeding writers, the views of the Highland tenants in respect to permanency of tenure are incidentally noticed by Captain Burt in his well-known 'Letters from the North of Scotland,' written about the year 1730, while the clan system was still in full vigour. His words are memorable, for they stand almost alone. The casual remark of a curious Englishman is perhaps the solitary contemporaneous testimony to a custom unknown to the Statute Book, but which may have been practically embodied in the reciprocal necessities and affections of chief and clansmen, as long as those relations remained a reality.* We are not indeed informed whether the claims of the people were admitted in principle by the tacksman or the proprietor, but it may be assumed that where the numbers and fidelity of the clan constituted the strength and the importance of the chief, the sentiments of the humblest vassals would be habitually respected. Removals had indeed already commenced in the time of Captain Burt, for we hear of emigrants from Inverness-shire to Virginia, but it does not distinctly transpire under whose impulse, on what occasion, or among what order of men this early movement occurred. We are bound to express the opinion that a claim to security of tenure, founded in the old usage of the country, cannot now be seriously entertained. The clan system no longer exists. The chief has in many cases disappeared, and his property has been transferred by sale to another name and another race. The people have in many cases disappeared as a distinct sept of

* 'The other example is of a minister who had a small farm assigned him; and upon his entrance to it, some of the clan, in the dead of the night, fired five balls through his hut, which all lodged in his bed, but he, happening to be absent that night, escaped their barbarity, but was forced to quit the country. Of this he made to me an affecting complaint.

'This kind of cruelty, I think, arises from their dread of innovations, and the notion they entertain that they have a kind of hereditary right to their farms, and that none of them are to be dispossessed, unless for some great transgression against their chief, in which case every individual would consent to their expulsion.'—*Burt's Letters from the North of Scotland*, vol. ii. pp. 176-77.

That the Highland tenants cherished the same impressions seventy-five years later is affirmed by the Earl of Selkirk in his work entitled *Observations on the present state of the Highlands of Scotland* (1805), p. 120:—'They remember not only the very opposite behaviour of their former chiefs; they recollect also the services their ancestors performed for them; they recollect that but for these the property could not have been preserved. They well know of how little avail was a piece of parchment and a lump of wax under the old system of the Highlands; they reproach their landlord with ingratitude, and remind him that but for their fathers he would now have no estate. The permanent possession which they had always retained of their paternal farms they consider only as their just right for the share they had borne in the general defence, and can see no difference between the title of the chief and their own.'

The same right of permanent tenure has been claimed for the 'tacksman.' See *A Tour in England and Scotland*, by Thomas Newte, Esq. London 1791, p. 125.

common extraction, under the influences of emigration, inter-marriage, and substitution. The relations of ancient inter-dependency have vanished with the parties who acknowledged them, and where the parties can still after a manner be discovered and brought face to face, the duties which were natural and lawful in another age can no longer be performed by either party to the other. It is, however, not surprising that the tradition of a lapsed privilege should be preserved under altered circumstances, for it was created by causes which leave a durable impression among an ardent and isolated people, or that where the belief has expired it should be easily revived, for it may be made the basis of a claim of material value. Nor must it be forgotten that the authority of chieftainship has been reasserted, and the obligations of vassalage have been avowed, in a new form, and for a new cause, almost within the memory of living men. It is difficult to deny that a Macdonald, a Macleod, a Mackenzie, a Mackay, or a Cameron, who gave a son to his landlord eighty years ago to fill up the ranks of a Highland regiment, did morally acquire a tenure in his holding more sacred than the stipulations of a written covenant. Few will affirm that the descendant in possession of such a man should even now be regarded by the hereditary landlord in the same light as a labourer living in a lowland village.

On the whole, we cannot entertain a doubt that the small occupiers of the Highlands and Islands have participated in no small degree in the benefits which modern legislation and commerce, and the prevalence of philanthropic principles in government and individual action, have conferred on other classes of their countrymen. We remain under the impression that while in the whole community there was a larger proportionate number of persons living in rude comfort in former times, there was also a larger number in a condition of precarious indigence. The average amount of moral and material welfare is as great now as at any previous period, and the poorest class were never so well protected against the extremities of human suffering. We cannot flatter ourselves that this statement of opinion will fully satisfy those whom it concerns. The tendency to paint the past in attractive colours will not easily be abandoned, nor is it likely to be obliterated by contemporary education or political training. A comparison of the present with the past is a favourite and effective instrument in stirring popular aspiration for enlarged rights. We shall, we trust, draw nearer to the prevailing sentiments of our countrymen when we add that, whatever has been the progress in the condition of the Highland and Island population, we have not reached a point which should satisfy their just expectations. There are still wants to be supplied and abuses to be corrected in the Highlands, as elsewhere, and to these we now propose to direct our attention.

The population belonging to the class of crofters and cottars engaged in agricultural and pastoral pursuits, in addition to the evils attached to an unproductive soil, high elevations, and a variable and boisterous climate, suffer from several causes of indigence, discouragement, and irritation, which are subject to remedial treatment. These may be enumerated as follows:—Undue contraction of the area of holdings; undue extension of the area of holdings;

LAND.

insecurity of tenure; want of compensation for improvements; high rents; defective communications; withdrawal of the soil in connection with the purposes of sport. To these we may add, as contributing in our opinion to the depressed condition of the people, defects in education, defects in the machinery of justice, and want of facilities for emigration. The fishing population, who are largely intermixed and identified with the farming class, share the same complaints, and have their own peculiar disabilities in the exercise of their hazardous calling, which may be summarised under the ensuing heads:—Want of harbours, piers, boat shelters, and landing-places; inability to purchase boats and tackle adapted for distant and deep-sea fishing; difficulty of access to the great markets of consumption; defective postal and telegraphic intercourse.

In submitting suggestions for the diminution or removal of these numerous causes of depression and discontent, our proposals may be conveniently consigned to six sections of report, viz.:—

I. Land; II. Fisheries and Communications; III. Education; IV. Justice; V. Deer Forests and Game; VI. Emigration.

I. LAND.

The principal matter of dissatisfaction in connection with the occupancy of land urged on our notice in almost every district with the utmost vehemence, and with the greatest consensus of authority, is the restriction in the area of holdings.

The fact is familiar. It is notorious by common observation, and by the abundant discussion to which this question has been subjected; yet we think it desirable to submit a statistical statement exhibiting in a simple form the distribution of the occupancy of land in certain parishes selected as examples in Sutherland and the Western Islands, parishes in which the subdivison of land on the one side and its consolidation on the other has been carried to a great, but not to an unexampled extent. The parishes chosen for this purpose are Farr in Sutherland, Uig in Lewis, Duirinish in Skye, and South Uist in the Long Island.

In order to obtain a clear impression of the rental derived from the land alone, and of the repartition of tenancy within the purely agricultural class, it is necessary to deduct from the gross rental certain items representing real property of other kinds, such as sporting and fishing rents, and lands appropriated to classes and individuals not identified with agriculture.

Farr, Sutherland.

Gross Rental,				£10,337	8	7
Deduct—						
For 5 Manses and glebes,			£106	0	0	
1 School,			5	0	0	
3 Inns with land,			129	6	0	
1 House with land,			10	0	0	
4 Shooting tenants,			2,500	0	0	
6 Fishing tenants,			1,095	0	0	
				3,845	6	0
Rent of land proper,				£6,492	2	7
Of which 7 tenants pay				5,810	8	11
Leaving for 293 Crofters and Cottars (as per Valuation Roll),				£681	13	8

Evidence,
pp. 3, 21, 28,
34 *et passim*.

18

19

20

21

Of these 293 there pay over £10 and under £30,	0	LAND. <hr/> Repatriation of Tenancy.
Between £6 and £10,	5	
Between £2 and £6,	160	
Under £2,	128	
Total,	293	

While the highest croft pays £7, 16s. the lowest farm stands for £290; and while 293 small occupiers represent an aggregate rental of £681, a single pastoral farmer who is not resident holds lands of the aggregate annual value of £1688, in addition to which he has a shooting tenancy of £200 per annum and an angling tenancy of £100. The repatriation of occupancy thus represents the extremes of subdivision and consolidation; there is a striking absence of intermediate positions; the small farmer and substantial crofter disappear entirely; there is not one single holding which can afford a competent occupation and support to a small tenant labouring his land and living by it; there is a complete extinction of those graduated stations which offer an encouragement to the development of individual intelligence and industry.

Uig, Lewis.

Gross Rental,	£5,229 15 0
Deduct—	
For 2 Manses and glebes,	£106 0 0
7 Schools,	42 0 0
1 Inn and land,	124 0 0
3 Houses and land,	69 15 0
1 Mill and land,	40 0 0
	£381 15 0
For 3 Shooting and Fishing tenants,	1,150 0 0
	1,537 15 0
Rent of land proper,	£3,698 0 0
Of which 2 Deer Forests pay,	£1,120 0 0
4 Tenants over £100 pay	887 0 0
2 do. between £30 and £100,	170 0 0
	2,177 0 0
Leaving for 420 Crofters and Cottars (as per Valuation Roll),	£1,521 0 0
Of these 420 there pay over £10 and under £30,	5
Between £6 and £10,	22
Under £6,	393
Total,	420

In this case the extremes do not stand so widely apart, and there is some indication of intermediate positions, but 2 small farms below £100 in annual rental, and 5 crofters' holdings between £10 and £30, out of an aggregate number of 426 agricultural tenancies, is a miserable representation of that system of substantial and graduated tenancy so desirable in a community of which the vast numerical majority are associated with the cultivation of the land.

<u>LAND.</u>		<i>Duirinish</i> (including <i>Waternish</i>), <i>Skye</i> .	
Repartition of Gross Rental,			£7,706 14 8
Tenancy.	Deduct—		
	For 3 Manse and glebes,	£91 0 0	
	9 Schools,	156 0 0	
	1 Hospital,	15 0 0	
	3 Inns with land,	129 10 0	
	1 Mill,	12 0 0	
	1 Pier,	40 0 0	
	40 Residences, shops, &c.,	651 13 11	
		<hr/>	
		£1,095 3 11	
	For 2 Shooting tenancies,	606 0 0	
		<hr/>	
			1,701 3 11
Rent of land proper,			£6,005 10 5
Of which 7 tenants over £100 pay	£3,565 12 2		
1 do., from £30 to £100,	30 14 0		
		<hr/>	
			3,596 6 2
Leaving for 590 Crofters (as per Factors' returns, the number paying under £4 of rent not being entered in Valuation Roll),			<hr/> £2,409 4 3
Of these 590 there pay over £10 and under £30,			21
Between £6 and £10,			75
Under £6,			494
			<hr/>
	Total,		590

In this parish the small farming class has only one place, but there is a limited basis of more substantial crofts, which gives some hope that people are not altogether wanting who might be capable of occupying larger areas, of conducting improvements, and of practising a superior kind of agriculture, if opportunities were afforded.

South Uist (including *Benbecula*), Long Island.

Gross Rental,			£6,880 3 4
	Deduct—		
	For 3 Clergymen,	£40 5 0	
	1 Doctor,	23 10 0	
	4 Inns with land,	126 0 0	
	9 Schools,	95 0 0	
	4 Mills,	95 0 0	
	2 Piers,	60 0 0	
	2 Lighthouses,	35 0 0	
	1 Bank,	25 0 0	
	18 Residences, shops, &c.,	191 10 0	
		<hr/>	
			696 5 0
Rent of land proper,			£5,983 18 4
Of which 10 tenants over £100 pay	£2,619 2 6		
3 do. from £30 to £100,	144 0 0		
		<hr/>	
			2,763 2 0
Leaving for 787 Crofters (as per Factor's return, the number paying under £4 of rent not being entered in Valuation Roll),			<hr/> £3,220 15 10
Of these 787 there pay over £10 and under £30,			30
Between £6 and £10,			154
Under £6,			603
			<hr/>
	Total,		787

In this case no land is appropriated to forest, and the element of sporting rent is wanting. The grazing areas are relatively to other places not exorbitant, and the small farming class has some feeble representation; substantial and medium crofts appear in some degree; but the deplorable preponderance of holdings below £6 in annual value points to the existence of a cottar and squatter population in a depressed and precarious condition, for the fishing industry in this district is not practised with much success.

LAND.
 Repartition of
 Tenancy.

The following abstract presents the results in the four parishes taken together, as far as regards the distribution of the occupancy of land:—

<i>Gross Rental.</i>		
Farr,	£10,337 8 7	
Uig,	5,229 15 0	
Duirinish,	7,706 14 4	
South Uist,	6,680 3 4	
		£29,954 1 3
 Deduct from Gross Rental—		
For mansions, manses, glebes, schools, houses, shops, &c.,	£2,423 9 11	
For 15 separate shooting and fishing tenancies,	5,351 0 0	
		7,774 9 11
Leaving for rent of land proper,		£22,179 11 4
Of which 30 tenants over £100 pay	£13,982 3 7	
And 6 tenants between £30 and £100 pay	344 14 0	
Making together,		14,326 17 7
Leaving for 2090 Crofters and Cottars,		£7,852 13 9
Of these 2090 there pay over £10 and under £30,		56
Between £6 and £10,		256
Under £6,		1778
Total,		2090

The statistics of occupancy do not, however, offer a complete picture of the social aspect of the whole community in a Highland parish, as they take no account of that element in the population who have no recognised share in the soil, though they are more or less dependent on it for support. We shall, therefore, confront the statistics of occupancy more directly with those of population in the following summary. The aggregate population of the four parishes, according to the census of 1881, consists of 3226 families and 15,816 souls, distributed as follows:—

<i>Population in 1881.</i>		
	Families.	Individuals.
Farr,	432	1930
Uig,	663	3489
Duirinish,	897	4319
South Uist,	1234	6078
Total,	3226	15,816

Of these 3226 families:—

LAND.				
Repartition of Tenancy.	120 represent families of proprietors, clergymen, schoolmasters, doctors, innkeepers, shop- keepers, &c., making	3·7	of the population.	
	15 separate shooting and fishing tenants,	·5	”	
	30 tenants paying over £100 rent (including 2 tenants of deer forests),	·9	”	
	140 shepherds, farm servants, and other de- pendants of the above 30 tenants, allowing 1 family for every £100 of annual rent,	4·4	”	
	6 tenants paying from £30 to £100 of annual rent,	·2	”	
	56 substantial crofters paying from £10 to £30 annual rent,	1·7	”	
	256 medium crofters paying from £6 to £10 annual rent,	8·0	”	
	1778 poor crofters and superior cottars paying less than £6 annual rent,	55·0	”	
	825 unaccounted for, but who must be placed among the landless cottars and squatters,	25·6	”	
	<hr/>	<hr/>	<hr/>	<hr/>
	3226	100·0	”	

From the preceding classification of the population, it appears that out of 3226 families, 3091 depend upon the cultivation of the soil, or fishing, or on casual employment connected with either pursuit, with some assistance, no doubt, from members of the family serving in temporary or permanent employments in other places. As fishing is, however, not usually practised in the western districts methodically, or as a separate and exclusive branch of industry, but rather as an auxiliary to land labour, we must regard the mass of the people as small agricultural tenants. Under these circumstances, it is deplorable that out of 3091 families there are only 6 who are occupiers of that class of small farms which are the prizes to which an industrious or fortunate crofter might naturally aspire; while only 312, or little more than one-tenth of the whole number, are provided with holdings which can in some measure afford substantial occupation and sustenance to a labouring family. Below these, 1778 are in possession of tenancies which imply a divided and desultory form of occupation unfavourable to the development of settled and progressive exertion; and at the bottom of the social scale 825 families, comprising more than one-fourth of the population, are without land and without regular access to local wages, most of them, it may be assumed, scattered among the poorest sort of occupiers, to whom they are a heavy burden. Side by side with this mingled multitude, so slenderly furnished with the means of life, we find 30 occupiers, forming less than 1 per cent. of the whole community, in the occupancy of nearly two-thirds of the land. These 30 include a factor, a few proprietors, and some non-resident tenants.

Taking the four parishes together, we believe that the conditions of tenancy which they reveal may be regarded as fairly representative of the state of the seaboard on the mainland, and of all the islands, from Ardnamurchan in Argyllshire, on the south, to the borders of Caithness on the north. A similar repartition of tenancy exists in some districts of the central Highlands, in Ross, and Inverness, and it prevails over nearly the whole of Sutherland. The evils attached to excessive subdivision and consolidation are

less felt in the Southern Hebrides, in certain parts of Argyllshire, on the eastern seaboard generally, and in Orkney, in all of which the small holdings are, as a rule, of greater dimensions, are more graduated, and are associated in some degree with small farms not inaccessible to the crofting class.

LAND.
—
Repartition of
Tenancy

The examples which we have selected for analysis above are cases in which clearance and congestion may be observed in close proximity, where the local population has been transferred and crowded, but not removed to a distance, in consequence of the formation of large grazing areas; they are cases in which consolidation has not been, in any material degree, attended by depopulation. There are other places in which the large farms have absorbed the whole area, in which any small farms which may previously have existed have been extinguished, and in which the poorer order of people, occupying land as sub-tenants, have been exceedingly reduced in numbers without being benefited in condition. Examples of the consolidation of pastoral areas, accompanied by the removal and dispersion of the humblest class connected with the land, might be found in various parts of the central Highlands of rather ancient date, and on the western coast belonging to a more recent period, notable examples of which were submitted to us in connection with the districts of Morvern in Argyllshire, and Glenelg in Invernessshire. We have, however, selected the parish of Bracadale in Skye as a typical instance, and in regard to the reduction of numbers not of an extreme character.

Bracadale, Skye.

Gross Rental,	£7284	12	8	
Deduct—				
For 2 Manses and glebes,	£65	0	0	
5 Schools,	57	0	0	
1 Distillery and 5 houses,	155	10	0	
3 Inns with land,	218	12	8	
2 Houses with land,	30	0	0	
1 Mill,	5	0	0	
	£531	2	8	
For 3 Shootings and Fishings,	795	0	0	
		1326	2	8
Leaving for land rent proper,	£5958	10	0	
Entered in the valuation roll as follows:—				
Farm of Tallisker,	£1575	0	0	
Glenbrittle,	1800	0	0	
Drynoch,	1260	0	0	
Ebost and Ullinish,	585	0	0	
Ose, &c.	595	0	0	
Totarder,	140	0	0	
Small crofts,	3	10	0	
	£5,958	10	0	

Population of Bracadale.

In 1841,	1824
In 1851,	1597
In 1861,	1335
In 1871,	1113
In 1881,	929

Here we have an example of a parish in which the system of

LAND.**Eviction and
Subdivision.**

small tenancy under the proprietor has had no existence, where the whole area has been appropriated to six tenancies, where the inhabitants, still of no insignificant number, have had no permanent footing in their country, no avenue open to a better condition in connection with the land. We have reason to believe, however, that the proprietor at this moment contemplates the appropriation of one of the farms to four tenants, who would thus be supplied with separate arable holdings and a common grazing for a joint sheep-stock, an experiment of which we shall be interested to learn the result.

The limitation in the extent of tenancies belonging to the crofting class may be traced to several causes, some of which have ceased to operate, while one, at least, is still working in certain localities with destructive power. The chief incentives to multiplication of small tenancies in past times were the desire of the proprietor to unite large tracts in sheep farms, and to settle the mass of the population along the coast, either for the lucrative industry of making kelp or the prosecution of fishing, it being rashly deemed that a ready and reliable source of local prosperity and national wealth and strength would thus be opened. The processes by which the comminution of crofters' holdings and the displacement of the people were effected are too familiar to require detailed description. The reduction or withdrawal of common pasture, the diminution of arable ground, the obliteration of townships, and the transfer of the inhabitants to the moor, the shore, or the cultivated area of other communities, were the methods by which a revolution in the rural economy of the country was effected. Very different are now the definitive results from those which were expected. Foreign competition and scientific discovery have long since extinguished the returns from kelp which afforded for a season to the proprietor a dangerous opulence, and to the labourer a ready subsistence. The intended fisherman has remained an indigent cultivator with an exhausted croft, while the sheep farm, which long supplied a respectable rental, is passing in many cases from the condition of farm to the condition of forest. Eviction and repartition have done their lamented work and passed away for ever; the interests, the prudence, and the sentiments of the proprietor are alike enlisted for other views and purposes; but the dangers of subdivision are perpetuated by the tenacity of the tenant, who too often settles his offspring on the impoverished holding, in defiance of estate regulations and the dictates of self-preservation. In the Western Highlands and Islands something resembling an economical crisis has occurred in consequence of the surrender of large sheep farms, the failure of crops in recent seasons, and the prevalence of agitation in connection with the tenure of land. It may be that an occasion is approaching for a partial redistribution of occupancy, in which the extension of the crofting area will find a place. To us it seems that the moment is favourable for the intervention of legislation, by which an impulse may be given towards the consolidation and enlargement of small holdings. In assisting a movement in the direction indicated, it is apparent that a useful result can best be obtained by a temperate course of action, moving in harmony with the wishes of the people, and using them as willing and conscious instruments for their own good.

Evidence,
pp. 501, 643,
663, 778 *et*
passim.
App. A, iv.,
v., xiv., &c.,
&c.

Evidence,
pp. 612 *et seq.*,
1183, &c.

Evidence,
pp. 563, 564,
1765, 1973,
2329 *et seq.*

With these views it is in our opinion desirable to seek a basis of operation in the customs of the country; and we believe that such a basis may be found in the recognition of the Highland township as a distinct agricultural area or unit, endowing it at the same time with certain immunities and powers by which it may attain stability, improvement, and expansion. But before entering further upon this project, it is necessary to dwell for a moment on the nature and definition of the village community in the Highlands and Islands of Scotland.

LAND.

The Highland Township.

The Highland 'township,' of which much has recently been said and written, has never possessed any corporate existence in the law of Scotland. It has been, as far as the law is concerned, simply a farm or part of a farm, occupied in common or in division by several tenants. In former times, in almost every case, it comprised both arable and pasture lands used in common; the arable area was redistributed at stated periods among the tenants, in virtue of regulations indigenious to the country, the mountain pasture being grazed indiscriminately by the live stock of the tenants, with or without a limitation of the number allotted to each. The separate appropriation of the arable lands was, however, only effective between seed time and harvest, for in winter the fugitive features of individual occupancy were effaced, and the promiscuous herd ranged at large over the naked area of arable and pasture, blended in a common desolation. The occupiers in these primitive communities in some cases held directly from the landlord, and in others were sub-tenants paying rent in money, labour, and kind to the tacksman, who held from the proprietor of the soil. Toward the close of the last and in the earlier part of the present century, the arable lands of the township have, except in very rare cases, been 'lotted,' or permanently defined and attached to separate tenancies. Some cases of the same change at an earlier period may be cited, while in a few isolated instances the alteration is not yet effected. The pasture lands, where they have not been absorbed by the adjacent sheep farm, are still used in common as of old, under different methods of management, varying from the licence of a Shetland scathald to the systematic economy of a well-managed club farm. The occupiers have been brought into direct relations with the landlord, and almost all services and obligations have been commuted in the acceptable shape of a single money rent. The Highland township, which asserts no lawful status, and exercises no functions analogous to those of the Continental commune, does nevertheless possess a distinct existence in the sentiments and traditions of its component members, and by the customs of estate management. The township is in many cases represented by its own officer, nominated by the proprietor, or elected by the tenants; sometimes by two such officers of either derivation, who are entitled constables, and are employed in the regulation of matters of common concern. Where rent is separately paid for common pasture, the whole rent is in some cases taken in a lump sum from the representative of the township. In cases of an increase of rent being imposed on the whole township, the repartition of the burden is occasionally left to be adjusted by the several tenants. Obligations to labour are prescribed by

App. A. xlviii

LAND.
The Town-
ship.

the injunctions of the proprietor or the resolutions of the people, not in the interest of the individual only, but in the interest of the community. Privileges respecting fuel and sea-ware are granted in a similar form and adjusted by similar agencies. The possession and administration of common pasture rights is, however, the most conspicuous and important feature in the constitution of the Highland township. In this way a form of rural life, which from a legal standpoint is a popular fiction, and only exists by the acquiescence of the proprietor, is yet a reality in the habits of the people, and could not now be set at nought without arousing public resentment and opposition. We entertain the belief that the organisation of the Highland township, however rudimentary, contains latent capacities which are worthy of being studied and developed, and that by this instrumentality some evils may be prevented and some benefits conferred, which, at the present stage of economic progress in the districts concerned, could not be prevented or conferred with the same efficacy by dealing with individual interests apart.

App. A.
xlviii., xcix.,
c., p. 483.

If the proposal which we here submit be admitted in principle, the first step towards carrying it into effect must be to designate and record the localities to be recognised as townships. This might be done in the following manner. All inhabited places containing three or more agricultural holdings possessing the use of common pasture land, or which have within a certain period, say of forty years, enjoyed such use, and generally all places containing three or more agricultural holdings known as townships by the custom of the country and estate management, should be registered in the Sheriff-Court books of the county as crofters' townships. We do not anticipate that there would be any serious practical difficulty in compiling such a list.

The townships thus registered would thenceforward be endowed with all the rights belonging to the status of a crofters' township. The rights of the township should be settled with a view to conservation, improvement, and extension.

Conservation
of Township.

With a view to conservation, the following provisions might with advantage be adopted:—

A plan of every township should be deposited in the office of the sheriff clerk, showing the boundaries of the township, the dwelling-houses upon it, the divisions between the holdings, and other features of occupancy, and such plans should be corrected and completed from time to time as changes of boundary or occupancy occur. The township thus constituted and recorded should not be liable to be reduced in area or dissolved without the consent of the occupiers, expressed by a resolution adopted by not less than two-thirds of their whole number. For such purposes as exchange of lands, the division of the area into two or more townships, or for consolidation with another township, the assent of a majority of the occupiers should be sufficient.

In the recognition of townships adjacent to the sea, reservation should be made for a right on the part of the proprietor to take township lands and shores for the formation of dwellings and small allotments for fishermen, and for harbours, boatshelters, and buildings connected with the fishing industry; compensation being awarded, where possible, to the township by the grant of lands of

equivalent value elsewhere, or by reduction of rent to individual occupiers who may be prejudiced by the transaction.

In every township the heads of families occupying holdings, and paying rent directly to the proprietor, should annually elect an officer, to be named the constable of the township, whose duty would be to convoke meetings of the occupiers for the consideration and adjustment of matters of common interest, to act as representative of the township in dealings with the proprietor and factor in matters of general concern, to act as arbitrator for occupiers in cases of valuation, and to co-operate with the sanitary inspector of the parish in matters regarding the improvement of dwellings and public health.

By these simple provisions the stability of the township would be firmly founded, and the crofting class would be maintained in the possession of the arable area still left to them, and protected against the further alienation of common pasture. Looking to the existing temper of the people in some districts, such securities could hardly fail to diffuse a feeling of contentment.

The rights conferred on the township with a view to local improvement, the convenience of habitation, and the cultivation of the soil, might properly embrace provisions for the erection of township fences, the formation of township roads and paths, and for the acquisition of fuel, materials for thatching, and sea-ware for township consumption. It is desirable that such rights should be exercised as far as possible with the co-operation and goodwill of the proprietor, and without unnecessary prejudice to his interests.

The first condition for the improvement of township areas is the erection of a substantial and durable fence between the arable grounds of the township and the contiguous hill pasture. Such boundary fences exist in many places, but are wanting or defective in others. The importance of these fences is such that we consider it desirable that the execution of this work shall be promoted alike at the instigation of the proprietor and the occupier. We would recommend that the proprietor should be empowered to summon the occupiers in a township to co-operate with him in the erection of a boundary fence between the arable and pasture lands, either in the form of a substantial dry stone dike built in the best fashion of the country, where such is practicable, or in that of the most substantial wire fence where there are no facilities for the erection of a wall; the proprietor, in the case of a dike, undertaking the expense of building, and the tenants the duty of quarrying, transporting, and laying down the materials on the ground; in the case of a wire fence, the proprietor supplying the materials and the skilled labour, the tenants performing the carriage and affording unskilled assistance. The township occupiers, in virtue of a resolution adopted by more than one-half of their number, should have the power of summoning the proprietor to co-operate with them for the same object on the same terms.

The occupiers in a township, in virtue of a resolution adopted by not less than two-thirds of their whole number, should have a right to claim the erection of a sufficient wire fence between the

LAND.

The Township.

Improvement of Township.

Fences.

Evidence pp. 35, 143, 2520, &c.

LAND.
 Improvement
 of Township.
 Fences.

common pasture of the township and adjacent lands occupied by the proprietor or his tenant, the proprietor being bound to supply the materials and skilled labour for the work, the township to transport the materials from the port or station to the ground, and provide unskilled labour. Should the occupiers, however, prefer to have the work executed by paying half the expense to the proprietor, they should be at liberty to do so.

The occupiers in a township, under the same conditions, should have the right to claim the erection of a sufficient dry-stone fence between the arable ground of the township and adjacent lands held by the proprietor or his tenant, the township collecting, quarrying, and laying down the stones, and the proprietor defraying the cost of building, with, however, the alternative of sharing the outlay equally. In situations where a stone fence is not appropriate, a wire fence of the most substantial kind might be substituted on the terms mentioned above.

The occupiers in a township should have the right to claim the erection of a wire fence between the hill pasture of their township and the hill pasture of an adjacent township belonging to the same proprietor, the cost being shared equally between the townships concerned.

The occupiers in a township should have the right to claim the erection of a substantial stone or wire fence between the arable lands of their township and the lands of an adjacent township, the expense being borne by the townships concerned equally.

Where the lands of a township border upon lands belonging to a proprietor not the owner of the township, the township should be empowered to exercise in regard to the adjacent proprietor all the existing statutory rights concerning the erection of fences which the owner of the township would be able to exercise, with corresponding rights on the part of the adjacent proprietor as against the township.

All township fences thus formed should be maintained at the joint expense of the parties concerned in the erection of the same.

The question of deer fences is reserved for another portion of this report.

By the general creation of township fences on a system of co-operation between the proprietors and the people, or between the various popular communities concerned, several advantages would be attained; controversies respecting the trespassing of live stock on the marches would be laid at rest, the stock on either side would pasture in peace, undisturbed by hostile shepherds and their dogs; the township arable would be secured against the incursions of cattle and sheep belonging to other farms or townships, and a basis would be laid for the division of the holdings from one another by interior fences, without which the use of a complete rotation of crops, and the introduction of artificial grasses, is scarcely practicable.

Roads

Next to the erection of township fences, the formation of township roads demands attention and encouragement. The inadequacy of local communication has frequently been brought to our notice in the course of our examinations. Many populous localities are still remote from roads maintained at the public

expense, and are burdened by assessments of which they do not feel the proximate benefit. The chief intercourse of such places with the outer world is often by sea, a perilous and precarious highway for a great portion of the year. Impediments and delay in the transport of commodities, whether for sale or domestic consumption, difficulty of access to church, to school, to medical assistance, to the moss and to the shore, and a painful increase of human, especially of female labour, are some of the hardships incidental to a want of facilities for interior traffic. In this matter, again, the co-operation of the proprietor and the township might be justly and profitably invoked. The following provisions might probably be found useful in supplying the deficiency complained of.

LAND.
Improvement
of Township.
Roads.

In places where there is no immediate prospect of a public road being made to a township, the occupiers in a township, in virtue of a resolution adopted by two-thirds of their number, should be entitled to claim the formation of a practicable cart road or bridle path from the township to the nearest convenient point on a public road, the occupiers and the proprietor sharing the expense equally on the lands belonging to the owner of the township.

The occupiers in a township should have the power, under the same conditions, of claiming the formation of a sufficient road or path, where possible and expedient, from the township to a convenient point on the shore, for the transport of sea-ware and the convenience of fishing, and also from the township to the peat moss used by the same, provided that the shore and the moss belong to the owner of the township, the proprietor and occupiers sharing the cost equally.

Where there are intervening lands belonging to other proprietors, and occupied by other townships, such proprietors and townships should be held liable to grant a right of way gratuitously; and in cases in which parties benefit by the road, they should be held liable to co-operate by labour or payment, in some prescribed proportion, on their respective lands.

In all cases of the formation of township roads and paths from the township to a public road, the road surveyor of the county should be held liable to give his services gratuitously for the purposes of survey and estimate, keeping in view particularly the contingency that such roads or paths might eventually be improved and converted into public roads.

All township roads and paths formed under these provisions should be maintained at the joint expense of the parties concerned in making them, or under arrangements contracted between them.

Proprietors and townships should be held jointly liable to construct and maintain foot-bridges over brooks and rivers, for the use of children repairing from townships to public elementary schools. In case of non-performance of this duty, the School Board should have the power of ordering the construction of such bridges, and of charging the cost of the same to the proprietors and occupiers of the township concerned; providing always that the cost of a foot-bridge for the purpose referred to is not more than a moderate specified sum; the obligation incumbent on the township being limited to the contribution of unskilled labour.

Evidence,
p. 270, 445,
463, &c.

LAND.

Improvement
of Township.

In recommending the preceding provisions, by which power would be bestowed on the township to enforce the execution of certain improvements for the common good by the proprietor in part and in part by the occupier, we have not proposed that the occupiers shall have the power of calling on the proprietor to apply funds borrowed from Government or from loan societies to the execution of the whole work, charging the tenants interest on the outlay. If the proprietor and the occupiers prefer to make such improvements, or any others by this agency, they remain at liberty to do so; but the object which we have warmly in view is to stimulate the people to shake off the torpor which besets them, and use their own labour for their own benefit, obliging at the same time the proprietor to make those pecuniary outlays and sacrifices for the township which he is practically compelled to do for the large farm, especially where the tenant is resident. We are the more induced to recommend the execution of improvements out of hand by a practical combination between landlord and tenant, because we have everywhere witnessed the irritation created by lingering charges for the interest of money expended in improvements, which the crofters confound with simple increases of rent, losing sight of the improvement, which is indeed often allowed by their carelessness to fall into neglect, and which, in some cases, may not have been efficiently done at first.

Evidence,
p. 404, &c.

Fuel.
Sea-ware.
Thatching.

Evidence,
pp. 19, 37,
157, 269, 296,
298, 411, 417,
648, &c.

Among the minor subjects of complaint which seem to rankle in the minds of the small tenants, and to exasperate their relations with the proprietor or neighbouring tenant in some exceptional localities, are payments for peats, sea-ware, and heather or grass for thatching. We think it desirable that all specific charges for privileges such as these should cease. They cause some irritation, they yield little profit, and as they involve payments for commodities indispensable to the poor, but which cost the landlord nothing, and have scarcely any general marketable value, they seem peculiarly oppressive. Besides, such payments are not commonly exacted, and the crofter on an estate where the custom obtains will probably compare his position resentfully with the condition of his exonerated neighbour. It would be preferable that all claims of this sort should be satisfied under the single head of rent, the amount of which would, no doubt, be affected by the facilities or advantages which townships enjoy in regard to the objects referred to.

The views which we entertain on this subject are embodied in the following provisions:—

Peats.

In cases where a township does not possess a sufficient supply of peat within its own boundaries, the township should have the right to cut peat on lands adjacent to the township occupied by the proprietor or his tenant, or on other lands conveniently situated for the purpose belonging to the same proprietor, without payment, full provision being first made for the service of the lands on which the privilege is to be exercised, and proper regulations being enforced for the preservation of the surface.

In the case of existing leases this privilege should not be enforced, but all future leases should be contracted subject to such a claim on the part of townships.

The township should possess a preferential right in all cases of cutting and gathering sea-ware without payment on the shore of lands belonging to the township for use on the lands of the township, except where the sea-ware on the township shore is used for the manufacture of kelp under existing leases.

LAND.
—
Improvement
of Township.
—
Sea-ware.

The township should possess the right, in case of necessity, of cutting and gathering sea-ware without payment on the shores of lands belonging to the proprietor and occupied by him or his tenant adjacent to the township, or conveniently situated, for use of the township, full provision having been first made for the service of the lands on which the privilege is to be exercised. In the case of existing leases this privilege should not be enforced, but all future leases should be contracted subject to such a claim on the part of townships.

The township should have the right of cutting grass and heather for thatching purposes on lands belonging to the township, without hindrance on the part of the proprietor or the shooting tenant, within certain fixed dates, to be settled between the proprietor or factor and the constable of the township, or failing their agreement, by the Sheriff-Substitute. In case of necessity the township should have the right of cutting grass and heather on lands adjacent to the township occupied by the proprietor or his tenant, or on other lands conveniently situated for the purpose, belonging to the same proprietor, for thatching on the township without payment, within a stated period, as above, full provision having been first made for the service of the lands on which the privilege is to be exercised.

Thatching.

In the case of existing leases compensation should be awarded to the tenant by arbitration for any substantial inconvenience or injury inflicted, the township using the privilege being held liable for the same.

In granting to the occupiers in a township rights of fuel and sea-ware on lands or shores belonging to the same proprietor, but not attached to the township, the contingency is to be considered that such lands or shores might be inherited by or sold to another proprietor, in which case the right of the township occupiers would lapse, and the value of their holdings would be impaired to that extent. In such a case the prejudice might be adjusted by some diminution of rental, when compensation could not be awarded by the concession of similar rights elsewhere on the estate. The same prejudice might arise in regard to fuel by the exhaustion of the peat-moss allotted to the township. A similar contingency would be incurred by the purchaser of a holding in a township, who acquired the proprietary right with a privilege of this nature attached to it. In the case of a purchaser he must purchase under a liability to undergo the prejudice contemplated. The same redress could not be afforded to him which could be afforded to an occupier. The case would probably not often arise, as estates in the Highlands are usually disposed of in considerable areas.

The repartition of the moss in cutting peat, the division of sea-ware among the parties concerned, the exercise of the right of cutting grass and heather, should be all regulated and settled by the representative of the proprietor or tenant, and the township constable, with power of electing an arbitrator in case of difference.

LAND.
—
The Town-
ship.

In connection with the right of cutting peat and materials for thatching, careful provision should be made for restricting the practice of cutting sods for roofing, and for preventing the eradication of grass on sandy soils.

Expansion.

The preceding provisions are designed to protect the crofter's domain against further arbitrary diminution, and to provide the township with means of improving the general area and the condition of the occupiers. We have now to state that in our judgment these provisions should be supplemented by others pointing to the expansion of townships. It is hoped that such extensions may be spontaneously granted in most instances by the proprietor, and in every case the option should be carefully offered to him of doing so by amicable adjustment with his tenants. We are, however, of opinion that the condition of the crofting population in some quarters is such, that it would be justifiable in the public interest to introduce the alternative of a compulsory process, in the absence of voluntary concession. It stands to reason that such an interference with the rights of property ought only to be exercised in exceptional cases, under the sanction of an impartial authority, and within prescribed limitations. With a view to the enlargement of township lands with the assent of the owner, or, failing that, by compulsion, the following method of proceeding is suggested:—

Compulsory
Enlargement

The occupiers in an existing township should have the right to claim from the proprietor an enlargement of the existing township in regard to arable land and common pasture, in virtue of a resolution adopted by not less than two-thirds of the occupiers, and to record their claim with the sheriff-clerk of the county in which the township is situated.

In case the proprietor should not, within the period of one year from the presentation of the claim, come to a voluntary settlement with the occupiers claiming enlargement, the Sheriff-Substitute should investigate the grounds of the claim, and if he finds it to be well founded, he should record the township as an 'overcrowded township,' and the claim as a reasonable claim.

In this case the proprietor should be held liable to grant to the existing township an increase of arable ground, or hill pasture, or both, subject to the following conditions:—

The enlargement should only be claimed from lands contiguous to the existing township, or contiguous to another township or other townships contiguous to the first, which shall combine to make the claim for the benefit of all.

The land claimed should be in the occupancy either of the proprietor or of his tenant. No claim should lie against land belonging to another township, except by way of exchange, the other township in that case obtaining a corresponding enlargement from other lands in the occupancy of the proprietor or his tenant. No holding should be subject to diminution for the enlargement of a township unless it exceeds a certain stipulated amount in annual agricultural value, say £100, without the voluntary assent of the proprietor.

The aggregate value of the land assigned for the enlargement of a township or townships should not amount to more than one-third of the annual agricultural value of the holding from which it is

taken, when the annual value of the diminished holding is below £150; to more than one-half when the annual value is above £150 and below £300; and to more than two-thirds when the annual value of the holding is above £300, without the voluntary assent of the proprietor.

LAND.

The Town-
ship.Compulsory
Enlargement

The division of the diminished holding should be effected in such a manner as to leave the remainder of the holding in possession of the same relative advantages of high and low ground for summer and winter pasture respectively, and of arable and pasture, which the entire holding possessed previous to diminution.

When reductions from the value of a holding have been made in the interest of one township, or more than one, to the full extent mentioned above, no further reduction should be exacted.

The enlargement awarded to an existing township should not be used for the creation of a greater number of holdings than existed in the township previously, but only for the development, improvement, or transfer of existing holdings, subject always to a provision that cottar families existing in the township should have a claim to be included in the number of holdings contemplated.

The claim of a township to an enlargement of area should not extend to improved pasture or arable land in the immediate vicinity of the residence or farm-steading, or to land generally which could not be so appropriated without substantially impairing the amenity of the residence.

In no case should the claim of the existing township to enlargement extend to the acquisition of more land than would be sufficient to raise the average annual value of holdings in the township to a specified sum, say £15, without the voluntary assent of the proprietor.

The claims of an existing township to an enlargement of area should not be allowed unless satisfactory proof be adduced before the Sheriff that the occupiers of the township concerned are able to use the additional area of arable ground profitably, and can stock the additional area of hill pasture.

The rent of arable ground and of common pasture assigned to an existing township by way of enlargement should be paid by valuation, one valuer being nominated by the proprietor and the other by the township, reserving to the Sheriff the power to nominate an oversman when the valuers fail to agree.

In assigning land for the enlargement of an existing township, there should be no infraction of an existing contract or lease without the free assent of the parties concerned, but in future such contracts or leases should be framed subject to the statutory claims of townships.

When an existing township has been enlarged by the assignment of additional land, such land should become an integral part of the township, and be subject to all the regulations affecting the same.

The provisions in regard to the rental of lands held available for the purpose of affording enlargement to townships, and the proportion in which such lands should be appropriated for this purpose, might have to be specially modified in connection with Orkney and Shetland, where the area of the larger holdings is much more circumscribed than in the Western Islands or on the mainland.

LAND.

The Town-
ship.Compulsory
Enlargement.

Under regulations such as those submitted above, it seems probable that, as leases expire, considerable areas of ground, especially of hill pasture, might be gradually recovered from farms and forests for the use of the crofting class, by which both the size of the township ground and of individual holdings would be augmented. Nor need this process involve either the ruin of the farm or forest or the serious reduction of the revenue of the proprietor. The division of the farm, if prudently conducted under the limitations prescribed, would still leave it a holding of respectable dimensions and useful character, while the difference between the rent paid by the large tenant and the rent paid by the township for the same lands, would, under the present conditions of agricultural depression, be comparatively insignificant. In most cases our proposal, translated into practice, would simply mean a moderate restoration of the hill pasture which the grandfathers of the existing hamlet enjoyed sixty years ago. It must be admitted, however, that in some parts of the country the plan would not work, or would work with insufficient rapidity. There may be, especially in Skye, the Long Island, and on the coasts of Sutherland, overpeopled tracts contiguous to which lands might not be found in sufficient extent adapted for the useful enlargement of the township, whether on account of the nature of the soil or the size of the farms, or the duration of existing leases. In cases such as these, if the overcrowded township is to be relieved of its redundant numbers, the people would have to be absolutely transported from their present seats and planted in new places, perhaps in the heart of districts long since given up to large farms, where everything would have to be recreated from the very beginning. Such a measure would involve a far larger expenditure and a much greater aggression on the present distribution of land than a mere shifting of the confines of existing townships. It would not be extension but migration, and the compulsory system, exceptionally admitted in the former case, might not be deemed equally applicable to the latter. In the case of the greater innovation it would be wiser to proceed hand in hand with the proprietor in all cases, supplying him with facilities and inducements to undertake a task which neither he nor the people concerned could accomplish alone. Such encouragements might, we think, be granted to the proprietor in the form and to the extent now submitted.

New Town-
ships.

In cases in which the Sheriff-Substitute, after due investigation, has decided that a township is an overcrowded township, and has a reasonable claim to enlargement, but in which no contiguous ground is available for such enlargement or likely to be available within a reasonable period, the Sheriff-Substitute should make the same known by advertisement or otherwise.

After such advertisement has been made, the occupiers in the overcrowded township should be entitled to record their names as applicants to be occupiers in a new township or in new crofters holdings should such be constituted, and when such application has been made, it should be notified in like manner.

Government
aid to pro-
prietors.

Every proprietor in a county in which the above mentioned notifications have taken place, who desires to form a new township

with Government aid, including three or more arable lots and common pasture, and to constitute the same exclusively in connection with overcrowded townships, should be entitled to demand an advance from Government of a sum not exceeding £100 for £10 of annual value in each new holding, and of £5 for each additional pound of annual value in the same holding, at 3 per cent. per annum, with provisions for the repayment of capital subject to the following conditions:—

LAND.
 The Town-
 ship
 New Town-
 ships.

The money thus advanced by Government should be exclusively applied to the construction of dwelling-house and farm offices and a substantial boundary fence of stone to enclose the arable land of the township in each holding, in a manner suitable to the habits and wants of the class of occupiers concerned, the expenditure being inspected and certified by the Inclosure Commissioners, or by some other agency appointed by Government for this purpose.

Each of the parties applying for the formation of a new township in connection with Government aid, and accepted by the proprietor as an occupier in the same, should show a *bona fide* intention to become and remain a resident occupier in his holding, to labour it in person or by a member of his family, and to aid in the collection and transport of materials for the construction of his habitation and its dependencies in combination with the proprietor.

The parties applying to be occupiers in a new township thus created by the aid of Government should show their collective ability to stock the common pasture.

In the event of a new township being formed in connection with Government aid on the application of parties in an overcrowded township, the lands and houses thus vacated should be employed for the relief of occupiers in the overcrowded township, and should not be appropriated to the use of new occupiers. The holdings created in a new township in connection with Government aid should in no case be less than £10 in annual value nor more than £30, and they should not be subject to subletting or subdivision in any form.

The new township should have all the rights and obligations attached to existing townships as far as is consistent with the preceding stipulations. In case the proprietor desiring to open a new field for crofting cultivation prefers to offer his land not in the form of a new township with common pasture, but in the form of separate holdings, he should have the same facilities from Government for the creation of such holdings, subject to the condition that the tenant is selected from an overcrowded township.

New separat
 Crofters'
 holdings.

It should, however, be provided that in case all recorded claims on the part of occupiers in overcrowded townships have been satisfied, the proprietor should be entitled to Government aid, in the same form, on behalf of other parties who may desire to form new holdings on vacant grounds, of not less than £15 annual value.

It has been frequently asked whether Government aid could or could not be safely and advantageously afforded to small tenants for the purchase of live stock requisite to replenish increased areas of hill pasture, or areas granted to crofters in connection with new holdings; for it is recognised on all hands that the resources at the disposal of the people are incommensurate for this purpose. Conflicting opinions on the subject have been expressed, some advocating

Government
 aid to occu-
 piers.

LAND.

The Town-
ship.

App. A. lxvi.

authoritative intervention on behalf of the people as the only effectual means of supplementing their inadequate means, others deprecating it as destructive of their self-reliance. The wish and hope for such assistance are widely entertained, without any definite conception of the form in which it should be supplied, and only in one instance has a matured plan for this purpose been submitted. The author of this plan, a gentleman with much experience of industrial interests both at home and abroad, himself a practical farmer and improver of land, contemplates the advance of funds by Government, at a low rate of interest, to a society or company which should furnish loans to small tenants for the purchase of live stock, retaining a lien or mortgage on the stock as security, a practice it seems, as far as the mortgage is concerned, familiar to the settlers in our colonies, where the law is favourable to such a transaction. A memorandum on the subject will be found in the Appendix, and deserves the consideration of Government. With some reluctance we are constrained to state, that we have not been able to come to a harmonious conclusion with reference to a proposal of this nature. Setting aside the project of Government or commercial aid embodied in the particular scheme referred to above, or in any other form, we are not without hope that in many cases occupiers in townships, partly from their own resources, partly with the assistance of friends outside, partly by making great efforts and sacrifices pending the natural multiplication of an insufficient live stock, would eventually contrive to fill up the augmented areas placed at their disposal.

Case of
Orkney and
Shetland.

The question of the preservation of township privileges in common pasture acquires a peculiar character in the Shetland Islands, in consequence of the fact that a considerable area of pasture lands in those islands, locally designated as scathald, is still in a state of commonity, that is, these lands are held in common property by the proprietors possessing an interest in them, while they are used promiscuously by proprietors, farmers, crofters, and cottars, often without any limitation of the number of stock belonging to each. This confusion is from time to time corrected by the division of commonity, a transaction conducted under the provisions of the law of Scotland on this subject. As the result of legal division, the commonity is partitioned between the proprietors, and their several portions, having been marked or fenced off, are, for the most part, disposed of without reference to the traditional use of the pasture by the occupiers. This withdrawal of the scathald or common pasture, in connection with the legal division of commonity, is regarded as a grievous injustice by the small occupiers in Shetland, and is associated in the popular mind with the supersession of the primitive udal tenures of the country by the feudal institutions of the southern kingdom. The same sentiments prevail in Orkney, but there the process of division is almost completed, and commonity only exists in connection with a class of small freeholders who farm their own land in the parishes of Harray and Birsay, who were originally udallers. The people of the Islands entertain a notion that they have been abusively deprived of certain rights and privileges which were secured to them under the conventions by which their country was ceded to the Crown of Scotland, and that if the institutions of their Norse ancestors had

Evidence
pp. 1228 et
seq., 1373 et
seq.

been preserved, the claims of the people to the use of common pasture would not have been lost sight of in the partition of commonty, if such partition, indeed, had ever been allowed. It seems probable that these impressions are altogether visionary. In the instruments by which Orkney and Shetland were ceded in pledge to the Scottish Crown, and in consequence of which the Islands were eventually incorporated with Scotland, no security whatever was taken for the preservation of local laws or franchises.* It may indeed be contended, that as the original acts of cession were of a temporary and conditional nature, it was not necessary to insert stipulations for that purpose. It is at least equally apparent, that as the cession proved to be a durable one, the Islands must, as a matter of policy, have sooner or later, been brought under the general authority of the Scottish Legislature. The resolutions of the Scottish Parliament in the 16th century on this subject were conflicting,† but in the 17th the Islands were definitively treated as a part of the national dominion, though an assembly was suffered to remain a little longer for the regulation of some local interests. In regard to the division of commonty, the Act of 1695 has been held by the Court of Session to be applicable to these Islands exactly in the same manner as to the rest of Scotland, and, under the provisions of this Act, the partition of commonty has proceeded, mainly during the last fifty years.

The unreflecting application of a general law to an exceptional case which was undoubtedly not distinctly contemplated when that law was framed is to be lamented, but the wrong committed is now irrevocable; it may be tempered, but it cannot be recalled. It is almost idle to inquire what course the Legislature of Norway or a local legislature in the Islands themselves would have taken on this question. The laws of Norway would probably have been favourable to the preservation of peasant freeholds, for such has been the result in the Scandinavian kingdom; but the question now under consideration is not the preservation of the rights of peasant proprietors in commonty, which are undisputed and unassailed where they exist, but the rights of occupiers or tenants. We have no means of forming a judgment as to what might have been the determination of Norwegian legislation on such a subject. The question is too hypothetical for discussion. What we do know is that Orkney and Shetland passed under the power of Scotland without any reservation of the laws affecting land belonging to the Islands; that commonty, previous to division, has been used indiscriminately by proprietor and tenant, that when divided it has been awarded exclusively to proprietors, and that the withdrawal of ancient pasture privileges is felt by the small tenants to be a serious hardship, and would be so felt even if accompanied by a corresponding reduction of rent, which has not been usually the case. The proper remedy for this evil is now to be sought in the application of the same system to Orkney and Shetland as to the

LAND.

The Town-
ship.Orkney and
Shetland.

* Contract of Marriage, James III. with Princess of Denmark, quoted from Torfæus, *Orkad. Hæst.*, p. 191, edit. 1697, by Peterkin. *Rentals of Orkney*, Edin. 1820, contains impledgement of Orkney. Original instrument concerning Shetland apparently not extant.

† *Acts of the Parliament of Scotland*, vol. ii. p. 244, paragraph 27 (1504); vol. iii. p. 41, paragraph 48 (1567); vol. iii. p. 293, paragraph 4 (1584).

Evidence.
pp. 1228 et
seq., 1373 et
seq.

LAND.
 ———
 The Town-
 ship.
 ———
 Division of
 Commonly in
 Shetland.

Western Islands, viz., the recognition of the township, with an appropriate area of common pasture. This system recognises the exclusive proprietary right of the owner, and is thus in harmony with the existing law, while it regulates the exercise of that right in a manner consistent with the wishes and interests of the small tenant. With a view to the settlement here recommended, and in general for the purposes of agricultural improvement, it is expedient that the division of commonly should be carried to a conclusion with all reasonable expedition. It should be rendered imperative on the proprietors, and should be facilitated and cheapened by an alteration of the legal process employed. In all instances, as the law now stands, in which the commonly to be dealt with is above £1000 in capital value, or £50 in annual rental, the case is brought before the Court of Session. Cases below those values are adjusted in the Sheriff Court without appeal. We would recommend a modification of the law to the following effect:—

In all cases of undivided property in which the parties interested concur unanimously to adjust their respective interests by arbitration or any other form of independent agreement, they should have the power to signify their intention to the Sheriff, and the period of one year should be allowed them to effect a settlement. If the settlement be effected it should be recorded in the Sheriff-Court books, and have all the validity of a judicial settlement.

All cases should be reported to the Sheriff of the county, with full particulars of each case, within the period of one year, and the Sheriff should thereupon, in conjunction with the Sheriff-Substitute and with other subordinate officers nominated by him for this purpose, proceed personally to divide such lands among those having interest in them, and appoint boundaries for the same, and the decision of the Sheriff should be final.

All expenses incurred in the division of commonly should be borne by the proprietors in proportion to their several interests as awarded.

When the repartition of commonly has taken place, the lands awarded to each proprietor should be his separate property subject to certain conditions. In case any of the lands previously held in common property has been used as common pasture by any township or townships, such township or townships should retain a use of common pasture in the separate portions of land awarded to their respective proprietors, but such claims should not extend in the aggregate to more than one half of the whole area awarded to each proprietor, without his free consent.

The division of the occupancy of the land between the proprietor and the township should be effected by the parties appointed to divide the commonly, and in making the apportionment of the land between the proprietor and the township, due regard should be had to the equitable repartition of high and low ground, or summer and winter grazing, between the parties concerned, and to the configuration of the land retained by the proprietor for his separate use, to its quality and accessibility, as well as to its area.

When an equitable proportion of common pasture has been appropriated to each township concerned, the pasture available for each holding, and the amount of stock allotted to each, should be settled by the proprietor and the constable of the township, and the

rights of pasturage awarded to each holding should be united to the holding, and no separate rent should be charged for the same.

In some parts of the Long Island, and perhaps elsewhere, there are tracts of waste or wild ground not appropriated to any particular township or holding, nor systematically used by the proprietor, but employed for the purposes of summer pasture by several townships, without limitation of rights, by cottars, and by all and sundry. The promiscuous use of pasture lands in this way is certainly to be deprecated, inasmuch as it often bears hardly on the poorer tenants, and affords facilities for squatting. We accordingly propose that the right to grazing on the lands referred to should be limited to the tenants in townships and other parties having, by the custom of the estate, the right to use the same; and that the amount of stock which each of the parties concerned should be entitled to pasture should be equitably settled by the proprietor and the constables of the several townships.

To the project which has been submitted above for the recognition, preservation, and extension of the Highland township, it may be objected by some that it is of a retrogressive character, inasmuch as it proposes to sanction by law a system of common occupation, a form of land tenure which has almost everywhere given way before the gradual introduction of individualised industry and occupancy. To this it is replied that pasture is indispensable to the small tenant in most parts of the Highlands and Islands, the soil and climate being such that he can never depend on cereal cultivation alone, either for rent or sustenance, while the areas requisite for the grazing of cattle, and especially of sheep, are so vast, and the surface so rugged, that numerous enclosures are impracticable. The choice is thus not between separate pasture and common pasture, but between common pasture and none. It is not intended, moreover, that the township, with its communal constitution and its common grazing rights, is to be immutable, when altered circumstances render it inexpedient. The scheme thus framed would give security to the better class of small tenants, while such security is necessary to their existence, welfare, and contentment; but should the process of consolidation by spontaneous and gentle methods prevail, and holdings be eventually enlarged to such an extent that division and fencing of pasture become practicable, the communal tie could easily be dissolved by general assent, and the township holdings, reduced in number and expanded in dimension, would naturally assume the form of small independent farms.

In connection with the same question, it was contended by a gentleman of large experience in Inverness-shire, that the concession of hill grazing to the small tenant operates as a discouragement to individual effort and the spread of cultivation; and that the crofter, secure in the idle possession of his miserable herd, neglects the tillage of the soil, and hopes to satisfy the demands of the proprietor and the meal merchant by the sale of a stirk and a few lambs. It may be admitted that the denial of hill pasture to the crofting class is convenient and beneficial to the landlord in a twofold sense, for it leaves the mountain areas unshared and undisturbed for the sportsman and the sheep farmer; while the crofter, confined to some limited spot of reclaimable moor, under the stipulations of an improving lease, delves and divides his holding with

LAND.
 The Town-
 ship.
 Promiscuous
 Common
 Pastures.

LAND.

The Town-
ship.

assiduity for the eventual benefit of the owner of the soil. Nor can it be denied that the habits and results of methodical and cumulative labour are often permanently beneficial to the fortunes of the occupier himself. The system apparently works well in the more favoured portions of the Eastern Highlands, where the climate and ground are comparatively dry, and where the crop comes early to maturity. But, taking the Highlands and Islands as a whole, we are of opinion that the results of cultivation are so scanty at the best, and so precarious, that it is the wiser way to provide the crofter with alternative resources, blending the arable and pastoral elements of labour and of gain as far as possible, and trusting to other helps and inducements to inspire him with powers of sustained industry.

Consolidation
of holdings.

In the case of a holding in a township of less than £3 annual rent not under lease falling vacant by the removal or death of the occupier, without representatives, who might naturally expect, under the custom of the estate, to succeed him in the holding, the holding thus fallen vacant should not be continued as a separate holding, but should be appropriated to the enlargement of other existing holdings, the smaller, where it is possible, being preferred, at the discretion of the proprietor, who should, however, have the power to retain the whole or part of the vacated holding for planting, or for purposes of public utility.

No holding in a township of less than £20 annual rent should be hereafter susceptible of subdivision, and in the case of the subdivision of a holding above £20 in annual rent no new holding of less than £10 annual rent should be constituted. These conditions being observed, small portions of land available in connection with such subdivision might be appropriated as garden allotments for householders belonging to the labouring and fishing class.

All permissions to divide or redistribute holdings, or to erect dwelling-houses, except in substitution for others, should be given in writing by the proprietor himself, his trustees, or curators, and all changes in the area boundaries and repartition of the township, and all alterations in the number and distribution of dwellings, should be entered in the official plan and register of the township deposited in the Sheriff-Clerk's office.

In cases in which occupiers in a township, exercising their common rights of pasture in the usual way by sending their respective quotas of live stock to the hill, including sheep, desire to consolidate their sheep in a common flock, or club stock held in shares, and bearing one ear-mark, they should be entitled to do so in virtue of a resolution adopted by not less than two-thirds of their whole number.

The Occupier.

We now pass on from the township to the occupier, from the community to the individual.

The rights awarded to the township in the preceding section would, no doubt, in practice offer considerable benefits to the occupier, accompanied by a salutary claim on his own exertion; for we are not to assume that there would be any inclination on the part of the proprietor to disturb the small tenant as long as he fulfilled his obligations with even tolerable punctuality. The occupier would, however, remain subject to arbitrary removal in the absence

of a lease, and his claim to compensation would rest on the provisions of the general Act of 1883, which, for reasons stated further on, may not be considered applicable to the peculiar conditions, or commensurate to the peculiar claims, of the crofting class. It would obviously be idle to set apart particular areas of land as an asylum for a particular class of cultivators, and to deny to the individual cultivator those securities which are necessary to the safe and profitable exercise of his industry. In view of the sufferings endured in times past by the people through inconsiderate removals, of which they retain a lasting impression, and to the dread which they express of similar treatment hereafter, though that may be in some degree unreal, as well as for the purpose of giving an impulse to ameliorations, we are of opinion that special provisions would here be justifiable which would not be requisite on behalf of other orders of men more independent, better informed, and more capable of governing their own destinies.

In contriving protective provisions for the individual occupier in the township, two things are especially expedient—first, that these provisions should not be indiscriminately accorded without consideration of the ability of the recipient to use them for his own and the general good; and secondly, that they should not be unnecessarily onerous to the proprietor. We have no hesitation in affirming that to grant at this moment to the whole mass of poor tenants in the Highlands and Islands fixity of tenure in their holdings, uncontrolled management of those holdings, and free sale of their tenant-right, good-will, and improvements, would be to perpetuate social evils of a dangerous character. It would in some districts simply accelerate the subdivision and exhaustion of the soil, promote the reckless increase of the people, aggravate the indigence, squalor, and lethargy which too much abound already, and multiply the contingencies of destitution and famine which even now recur from time to time, and are ever impending. The proper basis for agricultural improvement in the crofting districts we deem to lie in the right of a respectable and competent occupier to claim from the owner an improving lease. It is under covenants of this nature, either expressed in writing or embodied in estate regulations, that large portions of the northern and eastern counties have been reclaimed from sterility, and it is probably to a similar agency that we must chiefly look for an enlargement of the productive area in future. We would not indeed question the use of capital and steam-power employed either by the proprietor or tenant, or by both in combination, as agencies in developing the productive power of the soil. Notwithstanding the disheartening examples of unremunerative though generous expenditure of which Sutherland has been recently the scene, it may be hoped that, with the experience thus gained, those means may yet be advantageously applied for the improvement of the larger agricultural farms; but more is to be expected on small tenancies from manual efforts and familiar mechanical methods. It is by the patient application of the crofter's strength, under judicious regulation, that much of the arable area in the northern parts of the kingdom may be brought under better cultivation, that portions which have lapsed to wildness may be reclaimed to fruitfulness, and that moorland may be rendered

LAND.

The Township
Occupier.Improving
leases.

LAND.
 —
 The Township
 Occupier.
 —
 Improving
 Leases.

arable. The conditions of improving leases are dictated by many varying considerations contingent on the state of the soil, the customs of the country, and the views of the proprietor. In some the ground, wholly or partly in a natural state, is granted at a mere nominal rent, to a tenant for a stated term, on the understanding or expressed condition that when the period of gratuitous occupancy is exhausted, the improved area is to be valued at the discretion of the proprietor, and regranted to the improving tenant or his successor, or another, as the case may be, at a rental thus assessed. In other instances, the period of gratuitous occupancy is abridged, and a gradually ascending scale of rental is prescribed, culminating in the last stage of the lease, at a rate more or less approximating to a valuation amount. On one great estate the term of the beneficial tenure is not defined by years, but by life; and the increase of rent is taken, as a rule, in connection with the death of the occupier and the admission of a successor. In most cases, it is believed, stipulations for compensation at the conclusion of the lease are not inserted, the tenant being held to be indemnified for his outlay by the free or favourable occupancy which he has enjoyed. Provisions, however, are made of a graduated character for the indemnification of the tenant where the holding is surrendered during the holding of the lease. In some improving leases connected with the Conon estate, in Ross-shire, the principle of compensation for improvements at the end of a lease is liberally conceded,—a fact not unnoticed or unappreciated in the memory of the crofters of the district concerned. The same principle was embodied in leases granted on the estate of Airdins, in Sutherland, and the meed of popular approval is warmly bestowed on the leases granted by Mr Dempster of Skibo in the last century.

Evidence,
 p. 2662.

Evidence,
 p. 2583.

It is interesting to find that so far back as 1752 the value of the improving lease was recognised by Act of Parliament, in the case of the Forfeited Estates, a measure which was ardently supported by the Lord Advocate of the time—Grant of Prestongrange. This Act is referred to as an indication of the intelligent intentions of the leading statesmen of the time, but we are not enabled to affirm that their views were rendered effective for the good of the tenantry. In this Act it was contemplated that compensation for improvements should be awarded to the tenant, not by payment at the conclusion of the lease, but by a reduction of rent below the market value during the whole of its currency, viz., forty-one years.*

On the whole, the terms of improving leases in the Highlands in regard to compensation seem rather hard to the tenant, tested by the opinions now in vogue among land reformers on this subject; but it is incontestable that the leases to which we refer have been eagerly sought, intelligently accepted, and punctually fulfilled by many honest and hard-working tenants on the eastern side of the country, who have under these covenants bettered their own condition, enriched their landlords, and augmented the productive capital value of their country.

While pointing out the dangers which would be attached to a profuse unearned distribution of rights to the occupiers in town-

* 25 George II. cap 41. *Statutes at Large*, vol. vii; Omond, *Lord Advocates of Scotland*, vol. ii. p. 48.

ships, and suggesting the limits and the form within which such rights should be bestowed, it is equally necessary to indicate the detriment to the country which would be incurred by an unjust and unnecessary limitation of the rights of property.

In the provisions recommended above, both for the protection of the township and the protection of the tenant, there is undoubtedly some abridgment of the landlord's power. In regard to the township, the owner is compelled to restrict a portion of his estate to a specific purpose, to restore in some cases a part of it otherwise appropriated to that object, it may be with some diminution of its return, and to co-operate in certain works of no small charge for the benefit of the township. He is held to concession, and he is held to expenditure. In connection with the occupiers of the better class, he is subjected to the obligation to grant leases, and in connection with those of an inferior status we propose some other limitations to his authority, which will be mentioned hereafter. In all this there is a sacrifice of the prerogatives and freedom of proprietary management, as well as a sacrifice of money. It is also to be noted, that the obligations imposed on the landlord in the interest of the crofter fall with peculiar severity on those families which have in past times, from motives of conscience and humanity, preserved their small tenants, while the estates on which eviction has been practised in the most unsparing spirit remain untouched. A wise proprietor may, we trust, still find compensation for these proprietary burdens in the contentment of his people and the improvement of his estate. But we do not consider it expedient to carry innovation further. It is of importance to the welfare of the Highlands and Islands not to impair the attractions of property. Those attractions are perhaps at the present time more powerful than at any previous period. They depend on the beauty of scenery, the pleasures of sport, repose, and exercise; on historical and poetical associations; with some on the fondness of long hereditary connection, with others on the charm of new acquisition. The purchase of Highland estates by capitalists from the south, whether of English or Scottish origin, is in some cases accompanied by an immense outlay in buildings, improvements, plantations, and embellishments of every kind. Nor would it be just to deny the claims and services of old proprietary families. Not a few of these families in former years, pressed by necessity, or guided by the prevailing economical theories and projects prevalent at the time, dealt with their tenantry in a manner which is now contemplated with reprobation; but there are also conspicuous examples in this class both of indulgence and beneficence carried on to the present day, which it would be alike ungrateful and impolitic to overlook. In few quarters has expenditure been primarily addressed to the advantage of the crofting class, but that class has been indirectly and in some instances studiously benefited, and they will probably obtain a larger share of attention in future. We do not say that the stream of southern wealth which is poured out upon the Highlands is more profitable to the people than the wealth which might be won by their own liberated and trained energies, but the former ought not to be arrested, and both may be possessed together. The mere exercise of proprietary power and

LAND.

The Township
Occupier.Improving
Leases.Evidence,
pp. 2929 et
seq., 2949 et
seq., 2015
seq.Evidence,
p. 1090 et seq.

LAND.
 ———
 The Township
 Occupier.
 ———
 Improving
 Leases.

duty holds perhaps a smaller share in the aggregate of proprietary enjoyment in the Highlands than elsewhere, for in the Highlands so many sources of interest are combined, but still the rights of property could not be indefinitely reduced without impairing its value. This reflection applies with peculiar force to the present time, when, in connection with the changes in the laws of entail and settlement, and the crisis which has occurred in the occupancy and rental of large farms, even a greater amount of land in the Highlands and Islands may be thrown on the market than has hitherto been the case. This is indeed a conjuncture in which the attractions of property should be preserved, and every legitimate inducement offered to the purchaser to become a resident on his estate. It may also be remarked that the sentiments and the condition of the Highland population admit with great advantage of a large intervention of regulating authority on the part of the landlord. There is no severance here between proprietor and tenant; on the contrary, there is as yet on the side of the poor much reverence for the owner of the soil, a feeling which is sometimes transferred from the ancient chief to the new comer, and which may attach, in some minds, to the idea of possession as well as to the idea of descent. Indeed the simpler kind of people, by a double delusion, are inclined to credit the absent lord with every merit, as they do the factor with every defect; they think and speak of the proprietor as of some distant, careless, but kindly Power, who, if he would only come in person, and see with his own eyes, and hear with his own ears, would do justice and banish suffering from the land. Certain it is that an active, benevolent proprietor in the Highlands, be he old or new, will find his authority respected and welcomed.

Evidence,
 pp. 391, 995,
 1864, 2035,
 2046, &c., &c.

It will now be our duty to indicate the method by which the benefit of an improving lease should be secured to the crofter, and in outline the character of the lease to which he should be entitled.

Every occupier in a township not in arrear of rent, and paying £6* or more annual rent, should have the right to make application to the proprietor for an improving lease of his holding, and to record such application in the Sheriff-Court books. If, during the period of six months from the date of such application, the proprietor and the applicant have not adjusted the terms of an improving lease, the occupier should have the right to signify the fact to the Sheriff-Substitute, and claim the benefit of an official improving lease.

The proprietor should have the power of taking exception to the applicant, on the ground of incapacity or bad character, and the Sheriff should be the judge of the validity of such objection.

No applicant for an improving lease should be subject to removal after he has made application to the proprietor until his claim has been decided by the Sheriff.

When the claim before the Sheriff-Substitute is allowed, the fair rent of the holding should be ascertained by valuation, conducted by the representative of the owner and the constable of the township, the Sheriff having the power to nominate an oversman in case of dissent; and if the fair rent is fixed at not less

* The sum of £6 has been inserted as a compromise between the opinions of those in the Commission who favoured a higher and those who favoured a lower figure.

than £6, the occupier should be entitled to an official improving lease for thirty years, embodying the following conditions:—

The holding should be inspected by valuers, and any buildings in serviceable condition and suitable for the working of the holding existing on the holding which can be shown to have been executed by the occupier or by his predecessors of the same family within thirty years, or paid for by him or them, and for which the occupier or his predecessors have received no assistance or consideration, or regarding which there has been no express understanding embodied in estate regulations or other writings, should be valued by arbitration, and the value awarded should constitute a debt on the part of the proprietor to the occupier. It should, however, be provided that in no case should the compensation thus awarded exceed three years' rental of the holding.

The occupier should engage to expend during the first seven years of his lease, in money or labour, an amount equal to not less than ten years' rental in permanent improvements on the holding.

If, at the end of three years, the occupier has not so expended an amount equal to four years' rental on his improvements, and if at the end of seven the full stipulated outlay has not been made, the lease should be held to have lapsed, and the occupier should thereafter continue in the holding on the footing of an ordinary occupier, without the right of claiming an official improving lease.

If either of the contracting parties desires to terminate the occupancy at the end of the improving lease, he should have power to do so by giving warning to the other party one full year before the conclusion of the term.

At the conclusion of the lease, whether the occupier continues in the holding or not, an inquiry and valuation should take place, so that the relations of the proprietor and occupier might be cleared up and mutual liabilities adjusted.

In settling the compensation due to the tenant for improvements, no compensation should be awarded to the tenant for buildings or works done in the first ten years of the lease, except for substantial stone and lime buildings adapted to the use of the holding, which should be valued by arbitration to the tenant; provided that compensation for buildings shall in no case exceed an amount equal to five years' rental of the holding. Compensation for improvements during a second term of ten years should not exceed one-third of the cost, and compensation for improvements done during the third term of ten years should not exceed two-thirds of the cost.

If at the conclusion of the improving lease, the tenant removes, his claim to compensation would be satisfied by the proprietor; if the tenant remains, his claim would either be satisfied at once, or constitute a debt on the part of the proprietor, to be adjusted as the parties see fit.

If at the conclusion of the improving lease, the occupier should remain, he should have the right to claim a new improving lease, and failing an arrangement with the proprietor, he would have a right to a new official improving lease under the same conditions as the first.

In case it should be proved at the conclusion of the improving lease that the holding has deteriorated in value, by neglect of good

LAND.

The Township
Occupier.Improving
Leases.Compensa-
tion.

LAND.
 ———
 The Township
 Occupier.
 ———
 Improving
 Leases.

husbandry, or by the neglect of the buildings existing at the commencement of the lease, or of those erected by the occupier in the first seven years of the lease, the proprietor should have a claim against the occupier, which should be decided by arbitration.

Occupiers possessing an improving lease should have the power of relinquishing their holdings at any term of Whitsunday during the currency of the lease, and of surrendering the holding and the improvements thereon to the proprietor and the proprietor only, the proprietor being under the obligation to accept the substantial buildings erected by the tenant as far as they are appropriate to the use of the holding; but under these circumstances the compensation should not exceed an amount equivalent to three years' rental of the holding. With a view to the paramount interest of the voluntary and gradual consolidation of small holdings, the power of assigning the improving lease is not given to the occupier. Compensation for other improvements should be awarded on an estimate graduated with reference to the period at which such improvements were executed.

Compensation.
 ———
 Improve-
 ments.

Permanent improvements should be held to comprise the erection of a dwelling-house, with chimneys and windows, the walls of which are built of stone and lime throughout, the erection of farm-offices, substantially built with stone, subsoil drains with stones or tiles effectually operating to dry the soil, dry-stone dykes, substantially built in a tradesmanlike manner, deep trenching and clearing of the ground, and no other improvements but these.

In cases in which controversies might arise as to whether permanent improvements executed by the tenant were really valid improvements, required for the benefit of the holding, and executed in good faith for that purpose by the occupier, the decision on this point should be left to arbitration between the proprietor and the tenant.

The foregoing provisions regarding compensation for improvements in favour of small tenants possessing improving leases have been recommended in preference to the provisions embodied in the Agricultural Holdings Act of 1883 for the same purpose, for the following reasons:—

Agricultural
 Holdings Act.

With a view to encourage occupiers to avail themselves of the improving lease, and in order to give them a fair start on clear and favourable terms on a new course of industry, it has been considered expedient to grant the occupier a claim to reimbursement for serviceable buildings on the holding under certain restrictions, a claim which he would not enjoy under the general Act.

It is apprehended that under the general Act the occupiers might not be sufficiently compensated for buildings of a substantial character erected on the holding during the lease. The principle of the Act is that compensation is to be awarded in connection with the increase of letting value, buildings being included as improvements. Now, on a small Highland holding the addition to letting value conferred by the erection of a substantial dwelling-house and offices might be incommensurate with the outlay of the occupier; indeed, the letting value of the holding might be as great without a house as with one as an addition to a neighbouring holding. But one of the principal objects of the improving lease is to encourage

the erection of better dwellings. It is therefore thought desirable to found the claim to compensation rather on the basis of work done and money expended than on the basis of increased letting value.

It is, moreover, doubted on the whole whether compensation for improvements based on increased letting value is a system which would commend itself to the feelings and understanding of the Highland crofter. Compensation for work done, either by gratuitous tenancy or by favourable tenancy, or by direct pecuniary reimbursement, is more consonant to the usage of the country, and perhaps more congenial to his interests and views. The principle of letting value as the measure of rent in lieu of the custom of the estate, might in the Western Highlands and Islands, and especially in Skye and the Long Island, be of questionable benefit to the small tenant. It would be the substitution of a commercial test for the tolerant relation which on most estates still prevails.

Compensation under the general Act does not extend to the improvement of cultivated land by deep trenching. 'Reclamation of Waste Land' is specified in the schedule, and those terms would include the reduction of wild moorland to an arable condition by the pick and spade, but they would not apply to the amelioration and renovation of the old ill-tilled and exhausted arable lands within the township fence; yet this form of improvement is one of the most advantageous on the restricted areas of the township infield, and it is one for which crofting labour is peculiarly adapted.

In pointing out the principles on which compensation should be awarded to the small tenant in the Highlands, and certain objects which should be particularly contemplated, it is not intended that the crofter should be deprived of the other benefits conferred by the Act.

It may be objected to the scheme which has been proposed, that the protection and encouragements afforded to the higher class of crofters above the level of the £6 line are withheld from those of an inferior condition, forming in most localities, we regret to say, the vast majority, and who may need such safeguards equally or more. This must be admitted. The poorer sort are here endowed with no formal security against eviction or excessive rents. The inequality of treatment is manifest and may appear unjust. If we allow it we do so not from a want of sympathy for the class excluded—we accept an evil to avoid a greater evil still. To invest the most humble and helpless class of agricultural tenants with immunities and rights which ought to go hand in hand with the expansive improvement of the dwelling and the soil, would tend to fix them in a condition from which they ought to be resolutely though gently withdrawn. These people ought either to pass as crofters to new holdings of a higher value, or take their position among the cottars as labourers, mechanics, or fishermen, with a cottage and an allotment, or migrate to other seats of labour here, or emigrate to other countries. Their case is contemplated by the provisions for improved fishing and voluntary emigration which will be embodied in other parts of this report. Meanwhile, we trust that they will not be subjected either to arbitrary eviction or rack renting. From the former they will be defended by the humanity of landlords and public opinion, while their rents can-

LAND.

The Township
Occupier.Improving
Leases.Agricultural
Holdings ActSmaller
tenants.

LAND. <hr/> The Township Occupier. <hr/> Smaller Tenants. <hr/> Removal. <hr/> Arrears.	not fail to be determined in some measure by the values fixed by arbitration on the holdings of their better endowed neighbours. Provisions may, however, be suggested on behalf of crofters and cottars not in the possession of leases, and not in arrear of rent, who being in actual occupancy are summoned to remove by the proprietor for his own purposes; such as a full year's warning, compensation for buildings and improvements on the holding executed by the occupier or his predecessors of the same family within thirty years, and, in the case of emigration, an obligation on the part of the proprietor to purchase the occupier's stock by valuation.
--	---

The question of removal on account of arrears of rent is one which ought perhaps to obtain special consideration in connection with the crofting class. On some estates the existing law in this respect is punctually enforced, and arrears are not allowed to accumulate; on others there is a great indulgence; arrears grow up and are retained on the books for a long term of years—a questionable kindness. We have heard of holdings on which a sum equal to nine years' rental was due, on which the occupiers were retained, paying, we may presume, something from time to time. When we regard the poverty of the crofting class, the uncertain and fitful nature of their harvest by land and sea, their general rectitude of character, and the custom of the country, which is somewhat irregular and lax, we consider that removal on account of arrears should not be hastily exercised, nor do we think that arrears should be suffered to hang over the head of the occupier for an excessive period. The occupier, whether a leaseholder or a tenant at will, should not be summoned to remove on account of arrear of rent for less than one full year's rental, and he should receive six months' warning, during which he should be at liberty to pay up his arrear and retain his holding. Arrears of rent in excess of two full years' rental should not be allowed to count against the occupier.

One of the principal objects which we have at heart in framing these recommendations being to promote the enlargement of holdings, it becomes necessary at this point to submit provisions by which further subdivision may be absolutely prevented, and an impulse given to consolidation within the limits of the township.

Consolidation of small holdings.

In the event of any occupier of land or houses in a township transferring, sub-letting (except for grazing), or dividing his holding or house, or of erecting dwelling-houses on his holding, except in substitution of an existing dwelling-house, without the consent of the proprietor, he should forfeit all advantages in regard to lease or otherwise proposed to be conferred upon him by the foregoing suggestions.

Subordinate to the provisions for consolidation, but still not without significance to the welfare of the occupiers, are the following suggestions, which are recommended for consideration:—

Payment of arrears by incoming tenant.

It should not be lawful for an incoming occupier to bind himself to the proprietor to pay up the arrears due by an outgoing occupier, and no engagement to that effect should be entertained in a court of law in estimating the amount of arrears due by an occupier, or in any other way.

In cases in which an incoming occupier is required to pay to an outgoing occupier or to the proprietor any sum for buildings or

improvements left on the holding by the outgoing occupier, the amount should in every case be fixed by arbitration, and no payment should be received by the outgoing occupier or by the proprietor for the goodwill of the holding irrespective of the buildings or improvements transferred.

LAND.

The Township
Occupier.

Every occupier holding an improving lease (subject to the approval of the proprietor and the constable of the township) should have a right to claim from the occupier in a contiguous holding, also with an improving lease, the erection of a substantial dry-stone fence between the two holdings, or a wire fence where the materials for a stone fence are not readily accessible, or where the ground is not convenient, the cost of the fence being shared between the two occupiers in proportion to the amount of rent payable by them for the holdings concerned.

Erection of
fences
between hold-
ings.

All occupiers of land or houses holding directly from the proprietor, who are subject to obligations rendered to the proprietor in connection with the tenure of land or houses, in the shape of labour service, or the sale or supply of commodities, should be at liberty to commute such obligations for money payments, the amount to be settled by arbitration in the absence of voluntary agreement. But this stipulation should not apply to labour or service prescribed for the common benefit of the township, within the limits of the township.

Commutation
of labour
services for
money.

We shall conclude these remarks on the claims and interests of the occupier by recording our opinion that facilities should be afforded to the crofter for the purchase of his holding, and to the cottar fisherman for the purchase of his dwelling. It may at first sight appear strange to recommend the acquisition of small parcels of poor land at a high price by industrious and intelligent men who would be able to invest their savings or the surplus product of their daily toil with far greater advantage in the vacant tracts of America and Australia. Yet habit and local affection bear so great a sway in the actions of mankind, that Highlanders will be found who would rather be proprietors in the mountains of Skye or the wastes of Lewis than in the fertile plains of Manitoba, and for no other purpose would they be more likely to receive assistance from without. In the mainland of Orkney a living example of small landowners is still extant in the 'Lairds of Harray,' who practise good husbandry, who rarely admit subdivision of the soil among their issue, and who buy and sell their miniature estates at from thirty to forty years' purchase. The possession of real property ought to be a powerful agent in forming habits of industry and self-respect, and in supplying sources of rational enjoyment. An opportunity of embracing this alternative condition of life and labour should be offered to the Highland people, and Government might lend its co-operation with manifest advantage and little risk. The earnings of the fishermen are precarious and intermittent, but they are often considerable. The purchase of holdings might offer a safe investment for money suddenly won and easily spent. The practice of purchasing the dwelling already prevails in the villages of the east coast and in Loch Fyne, and might be extended among the same class in the Western Highlands and Islands.

Purchase of
holding by
the occupier.Evidence,
p. 1502 et seq

LAND.

The Township
Occupier.

Every occupier in a township paying £6 or more of annual rent to the proprietor should have the right to enter his name with the Sheriff-Clerk of the county as a claimant to purchase the fee-simple of his holding for a price not exceeding twenty-five years' gross rental of the holding, having first obtained the consent of the proprietor in writing. The claimant, on depositing one-third of the purchase money, should have a right to claim an advance of the remaining two-thirds by Government, and the whole price having been paid to the proprietor, the occupier would become owner of the holding, subject to such conditions of interest and reimbursement to Government as the law may appoint.

Purchase of
holding.

The purchase of holdings by occupiers in townships would introduce some complication into the relations between the parties purchasing, the parties remaining occupiers, and the proprietor of the township. The purchaser, in his new character of owner of a holding in the township, could not equitably exercise all the claims in regard to the proprietor which would be by the previous provisions conceded to the township occupiers, especially the claim to an extension of the area of the township. It is proposed, in the absence of any voluntary adjustment on the subject between the party purchasing and the original proprietor, that some such settlement as this should be adopted. The purchaser should become owner of his holding, subject to all the obligations in regard to township labour and works which are incumbent on occupiers, and with all the claims to township privileges regarding common pasture, fuel, sea-weed, &c., enjoyed by the occupiers. He would be debarred from taking any part in township proceedings for an extension of area, and from all benefits and obligations attached to such extension, except in so far as he might participate in them by voluntary arrangement with the occupiers. In regard to the payment of local and imperial rates and taxes, he would be, of course, on the footing of an owner and not of an occupier. In the case of a township in which a number of occupiers became purchasers, it should be provided that when more than one half of the occupiers have become owners of their holdings, and more than one half of the aggregate annual value of the township has been vested in the hands of owners, the township, as a crofter's township recognised by law, should be dissolved, and the remaining occupiers would become separate crofters, subject to the conditions applicable to that class of small tenants. It stands to reason that the purchaser of a holding in an overcrowded township could not appear as a claimant for a holding in a new township, or for a separate crofter's holding formed by a proprietor in connection with Government aid.

Power of
Government
to take land.

The Government should be empowered, in connection with any works undertaken wholly or partly with public funds for the formation or improvement of harbours, to take up lands adjacent to such places and conveniently situated for the seafaring people, proprietors and tenants being indemnified for any prejudice which they might sustain by arbitration. The lands thus taken up should be feued out as building plots on favourable terms to the class referred to, under proper regulations regarding the character of the buildings to be erected. All titles connected with the purchase of

holdings, and the tenure of buildings and lands contemplated by the preceding suggestions, should be rendered as simple and cheap as possible in the interest of the purchaser.

LAND.
—
The
Separate
Occupier.

The crofting population in the Western and Northern Highlands and in the Islands generally, are still settled in townships for the most part, and they are, except in Orkney and Shetland, the poorest and least informed people of the class, and most in want of legislative protection and encouragement. There are, however, in the eastern districts, and here and there throughout the country, small occupiers without any communal privileges or attachments, sometimes holding under improving leases, sometimes under ordinary leases, sometimes as tenants at will, a hard-working race who have been the pioneers of cultivation on the moors and hills. These people are chiefly the descendants of disintegrated townships who have been planted out on the waste, or who have drifted here and there and taken root, while others are mechanics and labourers of superior means and enterprise from all quarters who have pushed their way upwards. They are the most advanced sort of crofters, possessing, on the eastern side of Scotland, a better climate, and in their surroundings better examples. The isolated crofter deserves our solicitude as well as his associated brethren, though it may be more difficult to meet his necessities and satisfy his demands. Many of these crofters hold under leases of the common kind, and their most urgent complaint is of excessive rents. It is unfortunately in this particular that we cannot come to their relief. That these covenanted rents are in many cases high when contracted for in past years of comparative prosperity and eager competition we can well believe; such has been the case with other orders of occupiers, and over all Scotland, but we are not able to recommend the annulment of existing contracts by Act of Parliament. We must in such cases trust to the discretion and indulgence of proprietors, which have been extensively exercised in regard to large farms by remission and reduction of rent.

Evidence,
pp. 2553 et
seq., 2612 et
seq.

In the case of separate crofters occupying as tenants at will, we would recommend that they should obtain the same rights to an improving lease as crofters in a township. These rights would be open to the present leaseholder at the end of his contract.

Right to im-
proving lease
and purchase.

To the whole class, whether provided with leases or not, we would extend the privilege of purchasing the fee-simple of the holding with Government aid, subject to the consent of the proprietor.

The social problem in the Highlands and Islands is complicated by the prevalence of subtenancy and squatting. Where this practice is least injurious it takes the form of cottars' holdings, in which the occupiers pay a stipulated rent to the farmer in money or service, and may be regarded as occasional farm servants. A more unhappy case is where the offspring of the recognised occupiers of township holdings remain and multiply on the ground, either sharing the narrow dwelling of the head of the family, or putting up habitations in defiance of estate regulations. But the evil assumes its darkest complexion in the Long Island, where in some places, in the waste, there are crowds of squatters who construct

Subtenants
and squatters.

LAND.
 ———
 Subtenants
 and Squatters.

hovels, appropriate land, and possess and pasture stock, but pay no rent, obey no control, and scarcely recognise any allegiance or authority. These poor people support themselves by casual labour in the country, by the simpler kinds of fishing, and by wandering elsewhere in quest of work. It is needless to say that they are a burden to the crofter and the proprietor, and that they are in a chronic state of poverty, degenerating in bad seasons to absolute destitution.

Pending the operation of remedies which, it is hoped, may gradually transfer and disperse this class of people, in so far as they cannot find a useful employment in their present abodes, it is desirable that they should be all recorded on the books of the estate, and as far as possible brought into direct relations with the landlord.

Subtenants, cottars, and squatters, occupying dwellings or lands on holdings of whatever kind under lease, and rendering rent or service to occupiers, should remain, if the parties concerned desire it, in the same relations during the currency of the lease, but the subtenant should have the power of commuting any obligation to labour for money payment under arbitration. At the termination of the lease, the subtenant should be held bound to transfer his tenure to the proprietor. Subtenants, cottars, and squatters, on lands under lease should not be subject to removal without the consent of the landlord, except for non-payment of rent or refusal to render covenanted services, and in connection with arbitrary removal they should have all rights belonging to occupiers holding direct from the landlord. These provisions would not, however, apply to farm servants permanently engaged for the service of the holding, or to dwellings appropriated to the use of habitual farm labourers.

All persons, of whatever condition, living on lands occupied by the proprietor, and rendering him any covenanted service, or labour, or payment in kind, should have the right to commute such obligations for money payment by arbitration.

Deterioration
 of pasture.
 Evidence,
 p. 545,
 Q. 8966,
 &c., &c.

Among the arguments which have been presented to us in support of a recurrence to crofting cultivation, a prominent place has been assigned to the alleged deterioration of hill pasture in the Highlands under an exclusive use of sheep. This deterioration is said to be manifested in two ways—first, in the increasing prevalence of mosses and rushes on the green lands formerly tilled as infield or outfield by the crofting communities, when these lands have been suffered to fall out of cultivation; secondly, over the general surface of the mountain grazings, which lie, and have always lain, in a state of nature.

In regard to the first class of lands, it may be admitted that the definitive abandonment of tillage and removal of cattle will after a time cause the gradual impoverishment of the surface, for on the poor soils in the rough climate and at the high elevations presented by the Highlands, the heather and coarse vegetation will eventually gain the upper hand, and this result may be attributed justly to the pastoral tenant, whose method of farming demands a less proportion of tillage and cattle than would be used by a moderate number of small occupiers on the same space. It appears consistent with

reason and evidence that the substitution of the large sheep farm for township cultivation and common grazing has, over limited areas, contributed to render the pasture worse.

LAND.

Deterioration
of Pasture.

The question whether there is a progressive deterioration of the natural mountain pasture of the Highlands, is one which opens a wide field for discussion, and on which a conflict of opinion exists. The great preponderance of evidence adduced before the Commission falls on the affirmative side, but the negative has been maintained by one competent witness of long experience. The argument for deterioration is founded on the fact, which we do not dispute, that the ground in certain places does not carry so numerous a stock of sheep as it did some thirty or forty years ago, and, moreover, that it does not afford the same amount of wintering as before. It is also affirmed that the change in the quality of the pasture is apparent to those who remember it in former times, who can inspect it now, and who are competent to make an intelligent comparison. In explanation of this change for the worse, it is stated that the ground being entirely or almost entirely abandoned to sheep, the soil receives no compensation in the form of manure for the withdrawal of its valuable constituents comprised in the bone, flesh, and wool carried off, that the droppings of the sheep have no fertilising value on the rugged surface, while the close and inquisitive bite of the animal searches out and removes the finer grasses. It is contended that a larger admixture of cattle on the hills, such as the crofter formerly used, not only supplied a restorative element by the superior value of the excreta deposited on the surface, but that the higher and less discriminating grazing habit of the cattle kept down the coarser grasses, and gave the choicer varieties liberty to flourish and extend. While we recognise that there is some force in these arguments, we cannot concede them without reservation. It can hardly be that the productive qualities of the soil on the mountain pastures of the Highlands were ever in any great measure nourished by the superficial dressing bestowed by the droppings of live stock of any description. When we regard, on the one hand, the nature of the surface, occupied in part by heath, in part by a covering of coarse vegetation, and on the other the small proportion of sheep and cattle to the area, and the poor quality of the sustenance they obtain, the amount of manurial contribution imparted to the earth must be meagre indeed. It is probable that some of the properties withdrawn from the soil by the formation and removal of the animal have been and are principally replenished by the decay of unconsumed vegetation and by atmospheric influences, except on spots where, for one reason or another, the live stock is habitually congregated. We believe, however, that with reference to deterioration, more importance is to be ascribed to the grazing habits of the two varieties of stock respectively, and that a judicious addition of black cattle to the sheep would effect an amelioration; an addition which, in the Lowland hills, is not found to involve a serious reduction of the sheep, when the cattle can be confined to the localities most benefited by their particular action in feeding. In regard to the diminution of the number of sheep maintained on certain specific areas, admitting the fact, it is to be observed that

Evidence,
p. 2042,
Q. 32096.

LAND.

Deterioration
of Pasture.

this may depend as much on the character of the animal as on the quality of the grass. Both the Cheviot and blackfaced races have been, by the course of breeding followed in the last fifty years, considerably modified in size and constitution. A slight admission of Leicester blood in the former, and the incessant selection in both of large, high bred, and artificially fed sires, has given the breeds more weight, and a greater delicacy in regard to food and weather. This fact is universally recognised and regretted by the store farms of the Border districts, where a reaction in favour of the smaller and hardier types of an earlier period has set in. The lowland farmers carried the same system to the North which they practised in the South, and many of them are known to have suffered by this imprudence, especially when the new Cheviot stock was introduced into the Western Highlands. We are not competent to speak authoritatively on the various subjects suggested by the alleged degeneration of the mountain pastures of the Highlands. The question will, no doubt, continue to attract the attention of agriculturists in all parts of the country, for the same points have recently been mooted in the Lowlands, and the same diversities of opinion are expressed. If the alleged deterioration does exist, if it can be corrected by the expansion of arable cultivation and the introduction of cattle, and if the crofting system is most conducive to these results, then we have an additional reason for recommending the extension of township areas and the creation of new holdings; but the crofter possesses no monopoly of the remedy, and the large farmer might also find his advantage in keeping an increased number of cattle and breaking up additional ground. In instituting a comparison between the effects of the system of small holdings and of pastoral farms on the natural pastures of the country, we must not omit to notice some particular kinds of damage inflicted on grazing lands by numerous communities of small tenants, which are very obvious to the passing observer. This prejudice is caused in three ways: by removing the soil for fuel without due attention to replacing the sod, by cutting the surface for the purposes of roofing and of bedding cattle, and by the transfer of the virgin earth from the mountain to the enclosed areas, with the view of enriching and filling up the arable ground exhausted by over-cropping.*

Evidence,
p. 1075, &c.

Truck and
barter.

Several matters have come under our consideration regarding the economical relation of the people with the employers of labour and local shopkeepers and traders, which may be conveniently grouped under the heads of obligatory service or sale, and truck or barter.

Evidence,
pp. 421, 428,
432, 1462 *et*
seq., 2159.

Certain services are rendered in agricultural or pastoral labour either to the proprietor or farmer by tenants or sub-tenants, sometimes paid, sometimes unpaid, the tenant or sub-tenant being held to render such services in connection with the tenure of his dwelling or holding. We have elsewhere stated our opinion that all such services should be commutable for money payments at the option of the party under the obligations referred to, except in two cases. 1. Where the services rendered are rendered in connection

* In connection with deterioration of pasture, see *Transactions of the Highland Society*, 1881, p. 226; 1883, pp. 111 and 176.

with existing leases, in which case the free assent of the holder of the lease should be requisite to the adjustment of the obligation in a pecuniary form. 2. In the case in which the labour is rendered for the service of the township.

LAND.
—
Truck and
Barter.

Labour service may possibly also be still rendered in connection with the tenure of land, or the use of buildings or warehouses, in the form of an obligation to fish for the proprietor or farmer, or to dispose of the fish caught to such parties at stated prices. We have not met in the course of our inquiry with any distinct example of this nature, but such cases were no doubt common at no distant date, and the practice may still survive. We are of opinion that any such obligation as may still exist in connection with fishing should be rendered commutable for money payments at the option of the party subjected to the obligation, whether in connection with an existing lease or contract or not, the adjustment being settled by arbitration.

In the case of fishing, however, the obligation usually takes another form, and one consonant to the interests of the parties concerned. The boats and sometimes fishing-gear are supplied by a fish-curer. The crew associated in the use of the boat come under an obligation to share the catch with the curer and to dispose of their own share to him at a price agreed upon. The gradual purchase of the boat by the crew frequently forms part of the arrangement. With contracts of this nature, which are beneficial to the crofter class engaged in fishing, we do not propose interference. The adjustment of such contracts may be safely left to the intelligence of the people, who understand their own interests, and who enjoy in this branch of their industry and earnings an increasing independence.

Evidence
pp. 1076 et
seq., 1116 et
seq., 1356 et
seq., &c., &c.

The obligatory payment of wages in the form of commodities is a practice which is to be deprecated. The price and quality of the article supplied become an object of suspicion to the recipient, and the employer falls under the imputation of reaping a double profit,—a profit on the article which the labour produces, and a profit on the commodity disposed of. The only instance in which this practice was distinctly alleged before our Commission occurred in the case of the British Seaweed Company, in the island of Tiree. Inconsistent statements were submitted to us even by witnesses concerned in the establishment. It is difficult for us to judge definitively how far the acceptance of wages in kind has been heretofore strictly prescribed, in what motives the practice originated, for what reasons it has been continued, and in what degree it has been beneficial or prejudicial to the people. The managing partner of the works distinctly disavowed to us any desire to impose his goods upon his work-people, or to make any distinction between wages disbursed in money or in commodities. We can only express a hope that this assurance may be unequivocally conveyed to the persons employed, and that they may hereafter feel themselves at perfect liberty to ask for money wages and be able to obtain them.

Evidence,
p. 2137 et seq.

Evidence,
p. 3066.

The practice of exchanging goods for goods at shops, the maintenance of long running accounts between the trader or employer of labour on the one hand and the worker or producer on the other, are matters of discussion and complaint both in the Western Islands

LAND
 ———
 Truck and
 Barter.
 Evidence,
 p. 3321 *et seq.*

and in Shetland. The grievance, if such it be, was not placed in a strong light by the people themselves in the Western Districts. It was particularly indicated to us by Sir William Collins, who gave evidence in Edinburgh, and whose position and philanthropy entitle him to our respect. In Shetland, the custom of truck and barter, and of continuous and perplexing relations of traffic between the people and the shopkeeper, have been for many years a subject of discontent and inquiry. It was not, however, in any great degree spontaneously or prominently urged on our attention by the alleged sufferers, on the occasion of our recent visit.

In reference to all these questions, we remain under an impression that abuses incidental to the isolation of the country, the ignorance and poverty of the people, and the power of monopoly or combination among employers, are gradually melting away, and have to a large extent disappeared before the forces of increasing intelligence, public opinion, and commercial competition; that the interests of employers and employed are being harmonized by natural causes; and that legislative interference ought not to be hastily attempted, except in so far as may be necessary for the specific purposes indicated above.

Dwellings.

Among the various inconveniences which the people of the Highlands and Islands suffer in connection with their position as occupiers of land, the one which strikes the stranger as the most deplorable, and which affects the native with the least impatience, is the nature of their dwellings. It is difficult to say how far the crofter or cottar is sensible of the disadvantages attached to the darkness and deprivations of his primitive habitation, or how far this feature in his life is actually prejudicial to his happiness and welfare. In the main his house does not make him unhappy, for he does not complain; it does not make him immoral, for he is above the average standard of morality in his country; it does not make him unhealthy, for he enjoys an uncommon share of vigour and longevity. Yet no one concerned for the elevation of the Highland people can fail to desire an improvement in this particular; no one can doubt that if they are well-conducted and robust, it is in spite of their lodging and in consequence of counteracting causes, and that if they enjoyed the benefit of purer and brighter homes they would prosper more. The Highland houses of the poorer sort are divided broadly into two classes—the black houses and the white houses. The black houses present the original type of the country, and they are built by the people themselves; the white houses are lowland cottages of the plainest character, and they are built by the people aided by the proprietors. The black house still predominates in the Western Islands, on the northern and western coasts of the mainland, and perhaps in the central Highlands. These humble dwellings are by no means uniform in character; in the lowest stage there is the sordid hovel, in which horses, cows, and pigs occupy one end of the undivided tenement, while the human inhabitants, accompanied by dogs and poultry, are immersed in obscurity and dirt at the other. When seen in a superior form the Highland cottage, though thatched with grass or heath, floored with clay and built with untempered stones, may yet possess a chimney and a window in the wall, a door

unshared by the cattle, a partition between the stall and the lodging, and when kept clean does not offer an unpleasant aspect, animated as it often is by the loom or spinning-wheel, by a hospitable welcome, and by kindly faces. The ancient model of Highland habitation may indeed be contemplated with too much indulgence by those whose minds are not duly possessed by considerations of utility and sanitation, for it is associated in fancy with all that is most pleasing and romantic in the manners and history of the people, while in form and colour it is in perfect harmony with the landscape and the shore. The white house may be seen everywhere, but it is most common on the eastern side of the country, and in Orkney and Shetland. It consists of two rooms on the ground, often with a bedcloset between them, and sometimes with garrets in the roof. It has two chimneys in the gables, and windows designed to open and shut; the walls are built with mortar, one end is floored with boards the other with earth or flags, the partitions and ceilings are of wood and clay roughly put together, the roofing is of boards covered with thatch, or felt daubed with tar, or exceptionally with slates. The white house is not attractive and not picturesque, but it is usually built apart from the byre, and it is tolerably dry, light, and free from smoke. It stands halfway between the original hovel of the Celtic peasant and the comfortable and comely dwelling which the substantial crofter of the future may, we trust, possess. Where this description of house is the joint production of the occupier and the landlord, the stones, the carriage of materials, and all the labour, skilled and unskilled, are usually supplied by the tenant; the lime and wood, sometimes fashioned, sometimes in the rough, are furnished gratuitously by the landlord; slates when required are obtained from the same source, but for these repayment by instalments is in some cases expected. The system of co-operation in house-building varies so much on different estates, and is perhaps modified so much in particular instances, that any attempt to define a general rule must be in some degree deceptive. The same remark applies to compensation awarded to the occupier for his share in the erection of buildings. In the case of the black house, the occupier is permitted to carry away or sell the timbers of the roof, or receives some allowance for them from the proprietor; in the case of the improved dwelling, we have not heard of any liberal system of compensation, the occupier in a great measure labours and spends at his own risk, each case will be dealt with apart, and the amount awarded will depend more on the means and the generosity of the landlord than on the equity of the claim. There is even in the remoter and least advanced parts of the country an unmistakable movement in the direction of improved accommodation, stimulated partly by the encouragements afforded by liberal proprietors, partly owing to increasing intelligence and emulation among the people. To this movement a considerable impetus would, we believe, be imparted by the provisions for improving leases suggested in this report. It would not be possible in this matter to attain definitive results by precipitate and imperative legislation. Proprietors could not possibly undertake the erection of model dwellings and farm-offices on small holdings. The occupiers are equally incompetent for the

LAND.
Dwellings.

purpose. The cost of a house and steading on a £10 croft, which would satisfy the educated expectations of a Government inspector would exceed the capital value of the holding, and the smaller the holding the greater would be the proportionate outlay for the improvement. Under these circumstances, it is evident that the process of amelioration must be prosecuted with deliberation and by mutual assistance, keeping in view the resources at the disposal of the proprietor, and the means, the habits, and the desires of the tenant. Public authority, which is powerless to create by any peremptory proceeding a higher order of dwellings for the Highland poor, is competent to correct abuses which are offensive to the first principles of decency and health. We feel ourselves debarred from making specific recommendations on this subject, in view of the recent appointment of a Special Commission by your Majesty to inquire into the dwellings of the poor. It is assumed that the Commission will, in one form or another, carry its investigations into the Highland districts.

The rent paid by crofters and cottars in the Highlands is determined by the custom of the estate and the discretion of the proprietor, who occasionally readjusts the amount by valuation conducted by the factor, or by a special agent appointed for the purpose. Rents are commonly found to be most moderate on the larger estates transmitted in the old families of the country, and on those which have been purchased by great capitalists more, it may be, with a view to pleasure, local association, or social position, than to profit. They may probably be higher on smaller properties acquired with a distinct purpose of advantageous pecuniary investment. In most cases a considerable degree of indulgence, often amounting to benevolence, may be discovered in the rent of small holdings; they are rarely disposed of, when vacant, on a purely commercial principle, or by public competition in any form, and are almost invariably held on easier terms than might be obtained in the open market by the inconsiderate rivalry of people aspiring to the occupancy of land. The grievance of increased rent has been submitted to our notice in many instances but in most, we think, with much less force and earnestness than the complaint respecting restricted areas. A reference to the evidence, however, will show that in particular cases the question of rent assumes a more prominent position, as in the instances of the Ross of Mull, Tiree and Iona, in the south-west, on the estate of Kilmuir in Skye, on the Island of Rousay, and at Clyth, on the eastern shore of Caithness. We do not think it right to express an opinion respecting the conduct of individual proprietors in the management of their estates; and in most of the cases urged upon our attention the augmentation of rental was explained by reference to outlay, to the increase in the price of stock and other commodities produced, by improved access to markets, or other considerations; nor has the increase, in the case of small holdings equalled the advance which has taken place in the same respect on larger agricultural areas in the same or in other parts of Scotland. The views embodied in this statement are, of course, subject to exception. Cases might probably be found of the inconsiderate imposition of increased rent, or of rent being raised with a view to

Evidence, pp.
2183 *et seq.*,
2128 *et seq.*,
3036 *et seq.*,
81 *et seq.*, 1533
et seq., 2411
et seq.

advantageous sale. On a comprehensive view of the rents paid by small tenants in the Highlands and Islands, we have not found in the conduct of proprietors ground for proposing a general revision by official authority; nor would such a revision, even if attended with diminution, be of any substantial benefit to tenants unless it were accompanied by the concession, in some form, of permanent tenure,—a measure which we have not been able to recommend, under the peculiar circumstances of the population, except in the case of occupiers with improving leases. The adjustment of rents by arbitration has been suggested in connection with the latter class; and we believe that such valuations, aided by the indulgence of proprietors, would have no small effect in regulating rents paid by other occupiers where these may require reconsideration.

LAND.

Rent.

When we consider the poverty of the people in the Highlands and Islands, their excessive numbers in some localities, the deficiency of local labour, and the military recollections which still survive in the country, it is surprising that these districts do not contribute more largely to the regular army. The humbler class of witnesses who appeared before us had a ready explanation of this state of affairs. They alleged the resentment engendered in the minds of the people by the hard treatment they have endured in connection with the land, and the insecure condition in which the young men would leave their parents if they ventured for a length of time from home. These statements do obtain some countenance from the reflection of an old writer in the last century, who remarks, 'that it is only with humane proprietors and under whom they live easily that they are disposed to enlist.* We are nevertheless of opinion that the decline in the inclination of the people for a military life, if such is the case, must be sought for in other considerations of a social and economical character. Regiments are no longer raised by chiefs and gentlemen of great estate, with the constraints and encouragements which belonged to former times. Commissions are no longer bestowed on the cadets of good houses on account of the number of recruits they bring in. The common people have higher wages at home and easier access to well-paid employment in the low country. Fishing is more lucrative; emigration is easier. The Militia and Volunteers offer a competitive attraction, and the Royal Naval Reserve affords substantial inducements. The military authorities might, however, be asked to consider whether greater efforts might not be made to attract the youth of the crofter class towards the army by appeals both to the imagination and reason. The occasional visits of non-commissioned officers of respectable character and varied experience to the remoter places, the circulation of tracts in Gaelic and English relating to the history and achievements of the Highland regiments, the dissemination of explanatory statements respecting the numerous advantages now extended to the soldier in regard to pay, food, clothing, accommodation, and advancement, at home, in India, and in the colonies and foreign stations, might have some effect.

Military enlistment.

App. A, c. p. 509 et seq.

App. A, ci.

The Highlanders have never been much inclined to volunteer for the royal navy, and the navy is no longer recruited from adult volunteers.

Naval enlistment.

* *Old Statistical Account*, Kilfinichen, vol. xiv. p. 210.

LAND.
 Naval
 Enlistment.

The whole force is supplied from the ranks of boys entered by their parents or guardians on board training ships, and bound to serve for a stipulated period, in return for which they receive a good general education and are thoroughly taught a craft, by which they can either rise to respectable positions in the service of the Crown or gain an honest subsistence on board the merchant shipping of their country. This system seems well adapted to give relief to a people who have large families and precarious earnings; but we are under the impression that it is very imperfectly known to the population of the Highlands and Islands, and that it never can be fully appreciated by them unless the Government vessels devoted to this service are brought to their very doors, and submitted to their actual inspection. We would strongly recommend that a training ship should be appropriated to the Highlands and Islands, and that it should move from place to place, visiting successively Shetland, Orkney, the coasts of Sutherland and Ross, the Long Island, and Skye, leaving the Southern Hebrides to be dealt with by the ship now stationed on the Clyde, which might also be set in motion for a portion of the year. If the training ships were empowered to pass from one port to another, lying for a convenient period at each during the fine season, not only would the people learn to know and value the advantages which they present, but the families of the boys engaged would be enabled to see their sons from time to time during the first stage of their service, which would mitigate the regrets and the difficulties of separation.

Refusal of proprietor to promise immunity.

Evidence, p. 1557 *et seq.*

Evidence, p. 3109.

App. A, lvi., lvii., liii., xcvi., xcvii., xcvi.

We regret that in one instance during our inquiry a proprietor declined to make us a promise of immunity to residents on his estate for evidence given before us, and that in this case, as well as in two others, the removal of persons who appeared as delegates seems to have followed our visit.

Another instance of refusal of protection is mentioned in the evidence, our knowledge of which is confined to the facts there stated.

Correspondence relating to these incidents will be found in the Appendix.

We are unable to express any definitive opinion as to the extent to which the motives which have prompted the course taken by proprietors in the cases referred to have been affected by depositions submitted to the Commission. If any person has suffered any prejudice on this account, we deeply regret the circumstance, as well as our inability to redress the wrong.

In reflecting upon the provisions which we have sketched out in the preceding pages in relation to the tenure of land, it would be sanguine to expect that they will be regarded with unqualified satisfaction by the class which they are designed to benefit. The recognition, improvement, and enlargement of the township, the concession of improving leases, the introduction of valuation rents for a limited class of occupiers, compensation for improvements, and the mitigation of arbitrary removal, may appear inadequate to those whose imaginations have been familiarised with projects of an exaggerated or visionary character, such as a general redistribution of the land. We have endeavoured to take an impartial view of the actual necessities of the people studied on the spot, to

adapt local remedies strictly to local ills, and to exclude no interest in the community from our sympathy and consideration. We hope that Government may find in our proposals a basis for useful legislation, and that when the prevailing agitation has been stilled by reflection and the lapse of time, the crofter and cottar may recognise in our action and advice an earnest desire for their welfare.

II. FISHERIES AND COMMUNICATIONS.

By far the greater number of the crofters and cottars of the Highlands and Islands of Scotland are wholly or largely dependent for their subsistence on their earnings as fishermen. Taken as a whole, the population into whose condition we have been making inquiry derive a larger annual income from the sea than they derive from the land. The subject of the fisheries has consequently occupied no inconsiderable portion of our attention.

The importance of this branch of industry as a permanent source of food supply has been, especially of recent years, sufficiently acknowledged. Extensive and valuable investigations are being conducted in other countries, as well as in our own, into the nature and habits of our food fishes. The recent Fisheries Exhibition, held in London, will be of great practical benefit in improving the boats and apparatus at present used in the fishing industry; and by exposing our ignorance of the ways and migrations of the herring and white fish which frequent our shores, it will help to stimulate public interest in these subjects, and to provide such legislation for the extension, development, and protection of our fisheries as may be required. In Scotland, the Fishery Board has recently been reconstructed with enlarged powers. Under its supervision a harbour is being erected in the north end of the Island of Lewis, and a most valuable investigation has already been commenced into the natural history of the herring.

Our inquiries have been limited to the ways and means by which the fishing industry might be improved, with the view specially to the benefit of the crofter and cottar population of the Highlands and Islands. There are two main branches of fishing, as at present carried on in the localities over which our inquiry extended,—the herring fishing; and white fishing, consisting principally of cod and ling. The herring fishing is being conducted every year farther and farther out in the ocean, and consequently a larger and more expensive class of boats, with a greater number of nets, is required for its successful prosecution. Within recent years, the herring fishing off the northern and western shores of the Long Island, and off the shores of the Shetland Islands, has greatly extended and developed. Fifty years ago the lochs and bays of the north-west Highlands supplied a remunerative herring fishing to the native population. These lochs, with rare exceptions, such, for example, as Loch Hourn during the autumn and early winter, have of late years been comparatively unproductive. In Lochfyne alone, of all the inland lochs of the north and west of Scotland, the herring fishing continues to be prosecuted with uniform success.

The white fishing is most remunerative on the fishing banks in the open sea off Shetland, the north and west of Lewis, and Barra,

although it is also pursued for at least a portion of the year on the west of Sutherland, Gairloch, Skye, and Tiree.

Lobster fishing, which used to provide remunerative employment for a considerable number of men on the northern and western shores of Scotland, is declining.

We have been informed that many of the calm lochs and bays of the western shores, both mainland and island, are naturally well adapted for the cultivation of oysters. It would be very desirable that this branch of industry should be encouraged. At the present time oysters do not form an article of export from the Highlands, and before the beds could become remunerative they would require careful preservation.

Inferior descriptions of shell-fish, whether used for bait like mussels, or as an article of food, like whelks, are habitually gathered for local consumption on the shores of the western districts, without interference on the part of proprietors or factors. When collected for sale, the right of purchase has been, in some rare instances, limited to particular agents paying rent to the proprietor for this privilege.

Such are the fisheries upon which the crofters and cottars depend as a source of income for themselves and their families. The people are generally able to add to their own food supply by fishing occasionally with rod or small line along the shore.

The arrangements under which the fishing industry is prosecuted vary in different localities. Few of the crofters and cottars in Shetland and the north-west Highlands and Islands own, in whole or in part, the large and powerful boats now used for prosecuting the herring fishing in the ocean. The Highlanders are generally employed in these boats as hired hands, first at the Stornoway and Barra fishing from the middle of May till the end of June, and afterwards at the East Coast fishing from about the middle of July till the middle of September. In Shetland, where the herring fishing is prosecuted from May to September, it is a common practice for a crew to hire a boat and nets on what is locally known as the half-catch system. Under this arrangement, the owner of the boat, who is usually a fishcurer, provides boat and fishing-gear, and keeps both in good working order. In return he receives the half of the total catch of fish, the crew dividing the other half between them. Sometimes the crew contract to purchase the boat from the owner. In this case they get three years to pay for the boat, and meanwhile they become bound to sell their fish to the curer at a fixed price for each season, and to pay a certain rate of interest for the unpaid portion of the price of the boat and tackle.

A smaller and less expensive boat is generally used for the white fishing. In Shetland and the Long Island many of these boats are the property of fish-curers, who hire them out on certain terms to the fishermen. An essential part of the contract is that the curer purchases the fish at a price usually agreed upon beforehand. As a rule, he supplies the fisherman and his family with such provisions and clothing as they require during the year, it may well be, at prices higher than those which prevail in the open market.

A still smaller class of boat is used for the lobster and shore fishing. These boats are the property of the fishermen themselves.

In Lochfyne alone, in the districts over which our inquiry extended, the invariable practice is for each member of the crew to own a share of the boat and nets. Of recent years, several steamers with herring buyers on board are on the fishing-ground in Lochfyne during the night and early morning, ready to purchase the fish as they are taken out of the net. During the fishing season, Lochfyne herring are in the Glasgow market every morning by eight o'clock. The fishermen in this locality are accordingly able to sell their fish fresh to the highest bidder, and to purchase their supplies in what they consider the cheapest market.

The fisheries off the northern and western shores are, we believe, capable of vast extension and development. The evidence we have received on this point is unanimous. At the present time the herring fishing is not prosecuted in the open sea south of Barra. It is said (Q. 35204 *et seq.*) that large shoals of herring approach the shores of the outer isles of the Southern Hebrides during the summer months. Captain Thomas A. Swinburne, R.N., of Eilean Shona, who is well acquainted with the west coast and its fishing banks, informs us that 'the fisheries of the west of Scotland, especially those to the west of the Long Island, are practically undeveloped,' and that 'the fishing-ground extends from Stanton Bank, in lat. 56° 10', to North Rona, in 59° 10', includes St Kilda, the Flannan Islands, &c., and abounds in cod, ling, tusk, and halibut; while turbot, haddock, conger, and skate are caught with herring and mackerel at certain seasons.' The same well-informed witness reports that 'there is good fishing-ground inside of the Long Island, the Shiant Bank, banks of the Sutherland and Cromarty coasts, and to the south of Skye, off Canna, and to the north and west of the islands of Coll and Tiree.' Others have spoken with equal confidence of the productiveness of the banks off the northern shore of Sutherland.

In order to develop and extend the fisheries, and so to improve the condition of the fishing population, it has been represented to us by the delegates of the people, by fish-curers who have a considerable amount of capital invested in this branch of industry, and by several independent witnesses who have made the matter a subject of study, and whose opinion we consider entitled to respect:—(1) That harbours should be formed in suitable localities, piers and landing-places in others; (2) That assistance should be given towards providing suitable boats and tackle for fishermen; (3) That the postal and telegraphic system should be extended to several outlying fishing-stations and centres, and means of communication with the great markets of consumption improved or created; (4) That certain alleged grievances should be inquired into and removed.

1. *Piers and Harbours.*—The numerous lochs and bays by which Piers and harbours. the coast of the mainland of Scotland and the Inner Hebrides, from Loch Inchard in Sutherland to West Loch Tarbert in Argyll, is indented, form a series of natural harbours and shelters along our western shores, which for convenience and safety cannot be surpassed. The same natural advantages are found on the eastern shore of the Long Island from Stornoway to the south of Barra, and on the western shore from Harris to Carloway in Lewis.

**FISHERIES
AND COM-
MUNICATIONS.**

The excellent roadstead of Stromness opens on the western shore of Orkney, otherwise exposed and wild; while the numerous voes which intersect the Shetland coast afford shelter to the fishermen of these parts in stress of weather. On the other hand, the northern shores of Sutherland and Caithness, from Cape Wrath to Duncansbay Head, are accessible only at two places, Loch Eriboll and Scrabster Roads. The whole coast-line, extending from the south of Barra by the west to the north of North Uist, and again from Loch Carlaway round the Butt of Lewis to Stornoway, cannot be approached at any point in rough weather. The large, fertile, and populous island of Tiree has no suitable harbour for fishermen,—there is not even a quay for the convenience of the local steam traffic. On the islands of St Kilda, Foula, and Fair Isle, a landing can be effected only when the ocean is at rest. The most productive fishing-grounds, both for herring and white fish, are generally off the most inaccessible shores. It is evident, therefore, that these banks cannot be fished to full advantage unless suitable places of shelter are made, where large boats can run for safety in stormy weather. Further, in several localities where the lochs and arms of the sea form a natural harbour, piers or landing-places are required in order to render them suitable fishing-stations. The circumstances of the country are such, that little or no part of the expense beyond local labour could be contributed in the districts where the works are chiefly needed. If harbours or piers are to be constructed, it must be mainly at the public expense.

The question arises whether it is reasonable that public funds should be applied to such a purpose. It has to be admitted that not only can no considerable portion of the cost be met by the localities concerned, but that even a very small direct return for the outlay in the shape of annual income for the use of such harbours and piers could not in all cases be guaranteed. Nor must it be forgotten that similar experiments in the past can scarcely be said to have realised the anticipations of the promoters. The villages of Tobermory, Stein, Shieldaig, and Ullapool were built in the last century by the British Fishery Society, aided by grants of public money, with the view to develop the fisheries in their respective districts. Tobermory is a thriving village, but its prosperity can hardly be said to depend much upon the fishing industry, while Stein, Shieldaig, and Ullapool have not succeeded as fishing-stations or otherwise. Notwithstanding these discouragements, we recommend that, in certain suitable localities, and under certain conditions, Parliament should provide funds for making harbours, and for acquiring ground for fishermen's cottages and other necessary equipments of a fishing-station. The event has proved that the sites of Tobermory, Stein, Shieldaig, and Ullapool as fishing-stations were not happily chosen. These villages could be used as stations solely for the inshore and loch fishings of their own immediate neighbourhood. Ullapool could thrive only when there was fishing in Lochbroom. When the fish shifted, as they sometimes did, into any of the numerous and equally sheltered lochs on either side of Ullapool, the fishermen followed and landed the fish where they were caught. And when the herring forsook the loch, as they have now done for years past, the village languished.

With the experience of the past to guide us, we would recommend

that harbours involving any considerable outlay of money should be formed only in localities within reach of the extensive and productive fishing-grounds of the open sea. We were not able to make a sufficiently minute investigation, nor did we possess the necessary technical skill, to entitle us to recommend any particular site or sites for such harbours as appear to us necessary. The Scottish Fishery Board are at present erecting a harbour at the port of Ness, in the north end of Lewis, which, owing, it is said, to the want of funds, is merely a tidal harbour, in a locality where the hardy fishermen have hitherto pursued their perilous calling under great disadvantages, and with frequent loss of boats and of life. It was urged upon us by many whose local knowledge enabled them to speak with authority, that an additional place of shelter was greatly needed on the east side of Lewis, between the port of Ness and Stornoway, while a third was urgently required for the benefit of the fishermen on the west side. Bayble, Portnaguirin, Gress, and Shawbost were named as convenient situations, two of which might be selected. A strong case seemed to be made out for two similar places of refuge on the north shore of Sutherland. Talmine and Port Skerray were mentioned to us as suitable sites for harbours in this locality. In the Isle of Skye a harbour is greatly needed on the north-east side, in the neighbourhood of Staffin Bay. The same necessity exists in Tiree. In several of the sheltered lochs and bays of the mainland and islands which are accessible to good fishing banks, such as, for example, Hillswick in Shetland, Loch Inchard in Sutherland, and Loch Poltiel in Skye, piers or landing-places might be erected at little cost. On the east coast, it has been represented to us that there is neither pier nor harbour between the entrance to the Cromarty Firth and the fishing village of Portmahomack, where also the harbour accommodation appears to be insufficient.

Evidence, pp.
1115, 1840,
1655, 141,
2133.

App. A, lxxiv.

It is open to discussion whether Government aid should be invoked to promote works of local usefulness, such as those to which we have last adverted. In cases where the pier or landing-place is chiefly available for the ordinary traffic of the district, it seems natural that it should be undertaken by the proprietor, the people, or the traders chiefly concerned. But in some localities these works would be mainly for the benefit of a branch of imperial industry, for the accommodation of fishermen from all parts of the British shores—men who have only a transitory connection with a place which is indispensable to their labour. In such instances, we are of opinion that the co-operation of Government might be legitimately asked for, when no other agency is available.

There are three islands of exceptional interest for their isolated position and the peculiar industries of their inhabitants—Foula, Fair Isle, and St Kilda. The access to all three offers great but perhaps not insurmountable difficulties. Without suggesting the creation of extensive harbour works, which would not be justified by the importance of the localities in question, we think that Government might institute a special inquiry with the view of ascertaining whether boat shelters of the simplest character might not be excavated or constructed at these places, in which a landing in rough weather could be effected.

It would be necessary, in the event of our recommendation being

adopted, that a competent officer should visit the several localities and report upon suitable sites and probable cost, after making such inquiry as might seem necessary. We would recommend that in selecting a particular site, preference should be given to the spot on which not only a safe and commodious harbour could be made at the least expense, but also where suitable ground for fishermen's houses and gardens would be available, and where the harbour could be best utilised for the convenience of the surrounding country. At every station where a harbour might be constructed, and in the case of piers where there is suitable ground in the neighbourhood, we recommend that a certain amount of land should be acquired. The arable portion of the ground would be feued out to persons intending to occupy themselves entirely as fishermen, in plots from half an acre to an acre in extent. The pasture ground would be held as a common, with the right of a cow's grass to each family.

It may be asked, Is there a reasonable prospect that any great number of the population would take to fishing as a regular calling, and pursue it with the steadiness necessary to ensure success? While the fishermen of the east coast of Scotland are simply fishermen and nothing else, at sea in all weathers and at all seasons, the population of Shetland and the north-west Highlands and Islands are partly crofters and partly fishermen, pursuing now the one calling now the other, often, it is alleged, to the disadvantage of both. We have frequently, in the course of our inquiry, asked the question whether the present system of combining both occupations was of advantage to the people or otherwise. As might be expected, we have received the most contradictory testimony on this point. Generally, though not by any means invariably, the people actually engaged in crofting and fishing are in favour of the combined occupations, whereas the weight of external evidence seemed in favour of separating the two callings.

It would be difficult to express an opinion upon this question applicable to all cases and circumstances. The system that might suit one locality might not suit another. When the people of the Northern Highlands were removed from their native glens to the shore, in the hope that they would at once become fishermen, without either boats or harbours, or the knowledge how to make use of such though they had them, they were provided with crofts of sufficient size to support a family with difficulty in a favourable season. The people naturally looked upon themselves still as crofters rather than fishermen; and they took to the sea only when it was absolutely necessary to supplement the outcome of their stock and crops. After the failure of the potatoes it became necessary to devote their attention more and more to fishing, especially as the small crofts were being yearly subdivided, and squatters multiplied among them. But few of the crofters took to fishing except as a subsidiary employment engaged in with reluctance, to enable them to pay their rents and the meal merchant. The fishermen of the north of Lewis, again, have had to prosecute the fishing off an unbroken coast washed by a tempestuous sea. Without harbours of refuge or a safe landing place, these men can only use a craft of sufficiently light draught and weight to enable them to drag it

through the surf beyond the reach of the tide wherever they can effect a landing. Even such small boats could fish the banks many days when they cannot be launched through the heavy surf on the beach, and under the most favourable circumstances, these exposed fishing-grounds can only be reached occasionally in winter. The Lewis fisherman, accordingly, considers it desirable to supplement the earnings of the sea by the produce of the croft. The crofters that skirt the lochs of the mainland and inner isles look to the land and not to the sea for a livelihood. They say, and with a considerable amount of truth, that the inshore fishing of the west coast is precarious in the extreme.

We have been informed that on the shores of the Moray Firth the fishermen have of recent years ceased to work the plots of land formerly cultivated by them, in order to devote themselves solely to fishing. The fishermen of Lochfyne, within the last forty years, have gradually relinquished their crofts, and are prosecuting their calling with greater energy and success in consequence. Both in Lochfyne and on the east coast of Scotland there are three favourable conditions which do not obtain on the northern and western shores, conditions in the absence of which fishermen could hardly be expected to devote themselves exclusively to that industry. On the east coast, the ground can be fished with profit, and in Lochfyne with profit and safety, for the greater portion of the year; on the east coast and in Lochfyne there are harbours in which boats can be moored, so that it is not necessary to drag them daily beyond the reach of the tide; and there is a market for the fresh fish. If these conditions could be realised on the northern and western shores, we are of opinion that a race of fishermen would spring up, working their own boats with the same skill which they now exhibit as hired hands in the large fishing boats of Peterhead and Fraserburgh. If by emigration and the operation of other remedial measures, the bulk of the future population of the Highlands and Islands can be put in possession of larger holdings of land, such as they themselves wish for, a smaller number will engage in the fishing industry than at present is the case. A substantial croft demands the undivided energies of the crofter. But while fewer will probably devote themselves to fishing in the future, these may be expected to prosecute their calling with greater energy and persistence than is commonly the case at present in many districts of the north-west Highlands and Islands.

2. *Boats and Fishing-gear.*—Year by year, as both the herring and white fishing are being prosecuted farther and farther out in the ocean, a larger, a more powerful, and consequently a more expensive class of boat is being built, and a greater number of nets and lines for each boat is being required. The fishing boats of the east coast have nearly doubled their tonnage within recent years. The old *sixern* of Shetland, safe for its size, is being rapidly disused, and replaced by a larger and more suitable craft. The Lewis fishermen cannot increase the size of their boats until they are provided with harbours in which to moor them. The boats at present in use, though for their tonnage exceptionally capable, and handled with great skill and daring, are far too small and light for

Evidence,
p. 695.

P. 3351 et seq

Boats and
fishing-gear

FISHERIES
AND COM-
MUNICATIONS.

Evidence, pp.
668, 676,
1284, &c.

fishing the stormy banks off the Butt of Lewis. The Chamberlain of the estate informs us that during the last thirty-five years not less than 293 Lewis fishermen were drowned at sea.

The boat built of late years on the east coast for the herring fishing is of 45 to 50 feet keel, about 14 feet of beam, wholly decked, and of 25 to 30 tons burthen. Such a vessel with masts, sails, oars, &c., &c., costs from £200 to £250, while her necessary complement of nets costs about £160, and of hooks, lines, &c., for the white fishing, about £18. The crew numbers from six to eight men. We have been informed by the people that for several years past their condition has been deteriorating instead of improving; and that if they were put in possession of the larger holdings which they all naturally desire to get, they would only in very few cases be able to stock them. Similarly, we were told that these people are not able to purchase the expensive boats necessary for the prosecution of the fishing. The fishermen of the north-west coast own fewer large boats now than formerly. They have not been able in all cases to replace the old craft by the more costly vessel which is now coming into use.

It has been urged upon us, and we think justly, that the present fishing population cannot, to any great extent, acquire suitable boats and nets without extraneous assistance, and that, in the circumstances, it would not be unreasonable that public money should be advanced for this purpose. We found, both in Shetland and in Barra, that crews of fishermen were provided by curers and others with boats and nets, which remained the property of the curer until the purchase price was paid, the crew meanwhile being charged interest upon the capital invested, and selling the fish to the curer. We trust that such voluntary contracts will become more common hereafter, and in ordinary circumstances they would provide the natural and proper solution of the difficulty. But we do not anticipate that in the immediate future all cases can be provided for in this way, and we consider it of paramount importance that the fisherman should be allowed to sell his fish to whomsoever he pleases. We are accordingly disposed to recommend that an arrangement be made by which money should be advanced to fishermen themselves, or to some intermediate agency sanctioned for the purpose, for the purchase of boats, subject to the following conditions:—(1) That the crew to whom the money is advanced be men who habitually maintain themselves by fishing; (2) That the amount of the loan shall in no case exceed the price of the boat, with sails, &c., but exclusive of nets; (3) That the loan, with interest, at 3½ per cent., be paid back in equal annual instalments, in seven years; (4) That the boat be fully insured, and that the premium for the ensuing year be paid in advance by the parties benefited; (5) That the boat be kept in good working order and repair, to the satisfaction of the officer to whom the Government may entrust the duty of inspecting it.

We are of opinion that the boat, fully insured, might be accepted as security for the money advanced. A large boat cannot be disposed of as easily as live stock, and even if it were disposed of, it could be traced. The revenue officer of the district could receive the annual instalments of the loan and the insurance premium for

the ensuing year. The registered number of such craft, while any portion of the loan remained unpaid, should be furnished to officers in charge of fishing stations, whose duty it would be to report on their condition in respect of repair, &c., as occasion offered.

3. *Facilities of Communication.*—Improved communication by post, telegraph, roads, steam vessels, and railways is of great significance to all classes and interests in the Highlands and Islands, but the importance of this question is so preponderating in connection with the fishing industry, that we have associated its consideration with this branch of our report.

Facilities of
communica-
tion.

If the maintenance of an undiminished surplus revenue from the postal service is regarded as an indispensable feature in our financial system, and if the department continues to impose as an invariable condition of postal and telegraphic development that every local extension shall be from the first self-supporting, we fear that our proposals on this subject have little prospect of favourable consideration. We would, however, warmly urge the adoption of a more generous policy, one which would recognise the claims of a population isolated and scattered by natural causes, and the condition of a branch of national industry carried on in sequestered and perilous situations, which requires for its safe and successful prosecution incessant vigilance and warning in regard to the vicissitudes of weather, and early information concerning fluctuations in the market.

It is difficult to lay down any rule as to the amount of population in a rural centre which should warrant the establishment of a daily post or a telegraphic station: much depends on distance and facility of access—much on the character of the locality in respect to intelligence, industry, and power of expansion. What we hope is, that a department of administration which has studied the convenience of the condensed population in the urban districts with so much assiduity, should now use its powers in order to anticipate the wants, and advance the interests and welfare of those who suffer under the discouragements of distance and dispersion. The post-office monopoly would thus justify its prerogatives and its gains.

The defects of the mail service are most apparent in North Uist, Benbecula, South Uist, and Barra. The regular transmission of letters to those places proceeds by a circuitous route through Skye to Dunvegan, and from thence by sailing packet to Lochmaddy across a stormy belt of the Atlantic, thirteen miles in width. Fair Isle and Foula receive letters when weather permits, but St Kilda is still without the means of communication with the outer world, save what the vessel of the proprietor and the summer visits of tourist steamers occasionally afford. There is no direct postal intercourse between Strome Ferry and Lewis. The whole of the west and north of Sutherland from Lochinver to Tongue, the west and north of Lewis, Walls, Hillswick, Ollaberry, and several other stations on the west and north of Shetland, South Ronaldshay in Orkney, Barra, a capital resort of the herring fleet from all the ports of Scotland and Ireland, are still without telegraphic communication. The example of Barra illustrates in a striking manner the reluctant intervention of the Official Department in

1121, 1122,
1331, 1696,
&c.

FISHERIES
AND COM-
MUNICATIONS.

Evidence, pp.
668, 672.

advancing the industrial interests of the country. In connection with evidence given before the Herring Brand Committee two years ago respecting the want of telegraphic communication with Barra, the Committee reported that a portion of the Brand Fund should be applied to remedy the deficiency of telegraphic intercourse with remote fishery districts, yet nothing has been done. We were informed by two fish-curers from the east of Scotland, who were examined at Barra, that if a telegram were sent from Castle Bay in Barra to Loch Boisdale in South Uist, the nearest telegraphic station, the transmission would occupy two days by the regular postal boat. One of the curers stated that a letter might be six days, and a telegram three days, in transit from a place on the mainland to Castle Bay; that these delays placed the Barra traders at a great disadvantage when compared with the curers on the east coast, and that they were entitled in common fairness to call on the Government to rectify this inequality.

Evidence, Q.
10681.

The prejudice suffered by the Barra traders was illustrated by two examples. Owing to their inability to communicate by telegraph with the Continent, they might miss the foreign market at a critical moment, or sell at a lower price than they might otherwise have obtained. Or again, they might be reduced to inaction on a sudden and unusual take of fish, in consequence of salt and other curing stores running short, a large stock of these commodities not being kept on hand on account of the uncertain demands of the trade, though available on the mainland for transmission at the shortest notice. One of these delegates probably did not exaggerate when he affirmed that, looking to the amount of capital employed, there was no industry in Great Britain of the same importance without the benefits of telegraphic connection, or which was in regard to communications generally so far behind the requirements of the age. The system of postal and telegraphic communication is so complex, and involves so much local consideration, that we cannot pretend to offer detailed suggestions applicable to the whole field of our inquiry. A comprehensive departmental examination into the wants of the districts referred to should be undertaken. Meanwhile we recommend with confidence, that improved postal service should be provided for the whole of the Long Island—that the telegraphic wire should be carried at once to Castle Bay, to the west and north of Sutherland, to the west and north of Lewis, to the west and north-west of Shetland, to South Ronaldshay, and that one or other of the local steamers should be engaged to call off St Kilda once in every two months in summer, and at least once during winter.

Evidence, Q.
602 *et seq.*

Considerable centres of crofting population are found in localities remote from the public roads, and the residents in such places regard it as a hardship that they are bound to pay rates where they are not sensible of an immediate and visible benefit at their doors. At the Glens, near Portree in Skye, a population of about 200 paying road-money were stated to be without a branch road, or even any tolerable track, and about four miles from the public highway. In this case repeated applications had been made to the local and county trustees, but without effect. At Keose, in Lewis, there are several townships on the south side of Loch Erisort, an inlet of the sea. The district contains about 1700 souls. These people have not a yard of road available for their local use, and they have to go, if they go by

Evidence, pp.
1136-39.

land, as they best may, 14 miles round the loch to reach the high road. On the north coast of Applecross an inhabited tract extending for 20 miles possesses no road, though the inhabitants, over 400 in number, are subjected to assessment. Similar cases were brought under our notice in other parts of the country. It is not, of course, contended that populous places, without near access to a public road, are without advantage from the general road system of the country, which must, under all circumstances, render them some indirect or occasional benefit; but the claims of distant and unbefriended localities may be sometimes too long overlooked at the head quarters of local road administration, and an excessive road rate at a neglected place may seem to be, and even be, an unjustifiable burden on poor occupiers. We suggest that the Secretary of State might be provided by law with authority, on petition from the rate-payers, to direct inquiry to be made into cases of this nature, and to call upon the road trust of the county to make branch roads within reasonable periods to such localities, and that he shall be empowered to reduce or suspend the payment of road rates pending the execution of the work prescribed. To meet cases in which the distance from the public road is so small, and the population so scanty, that they cannot reasonably claim a public road, we have elsewhere introduced provision for the formation of township roads by the co-operation of the landlord and the occupier. The powers proposed to be conferred on the Secretary of State would be analogous to those vested in the Court of Session, which, on the petition of the Board of Supervision, enforces the execution of sanitary works in municipalities.

The want of communication by coasting steamers is still felt on some parts of the Highland seaboard. At present there is no regular communication by sea along the coast-line from Scrabster Roads in the north of Caithness to Lochinver on the south-west of Sutherland. The lobster fishermen of Durness have to cart their fish nearly 60 miles to the railway station at Lairg. At Loch Inchard there is a good harbour, and there are good fishing banks off the shore, but no fresh fish can find its way to the market from those parts. During the past winter the lochs of the west and north of Sutherland swarmed with herring, but owing to the want of telegraphic and regular steam communication, salt and barrels were not for a time available, and the fishermen who might, under more favourable circumstances, have commanded remunerative employment, were placed at great disadvantage. The extension and improvement of communication by post and telegraph, and the creation by Government aid of new harbours and landing places, would eventually afford sufficient inducement to the steamboat companies conducting the local traffic of the Highlands and Islands to increase the number of their ports of call.

The question of extended railway communication remains to be considered. This is the principal requirement of the fishing population of the western coast. The railway at present strikes the sea at two points in this quarter, Oban and Strome Ferry; but there is no direct and regular communication between these termini and the Outer Hebrides. Tiree, Barra, and Lewis forward no fresh fish to the southern centres of consumption. During the herring season special steamers are run from Stornoway to Strome Ferry, but white fish from

FISHERIES
AND COM-
MUNICATIONS.

Evidence, p.
1920 *et seq.*

Evidence,
p. 1678.

FISHERIES
AND COM-
MUNICATIONS.Evidence,
p. 1014.

the north and west of Lewis cannot be despatched fresh to market. The fishermen of these parts consequently use turbot, with which their banks abound, and which is of value only in a fresh state, as bait for cod and ling, which are chiefly sold as dried fish. The intricate entrance to the harbour at Strome Ferry not being so lighted that its passage can be safely attempted after dark, there must necessarily be considerable interruption to traffic during the long winter nights in so high a latitude. It may easily be conceived that this offers some difficulty to the running of regular steamers between the railway and the remoter island ports, for the occurrence of a storm, delaying the steamboat's arrival till after nightfall, would occasion such a loss of time as entirely to dislocate any advertised arrangements. The proper lighting of Strome Ferry harbour would be of very great advantage, but still more desirable would it be to extend the railway to Kyleakin, some 12 miles beyond its present terminus. The Act for the construction of the railway contemplated that this should be done, but want of funds prevented the realisation of the complete project. A terminus at Kyleakin would be at all times accessible to shipping, and would be available for the Skye traffic without any long sea voyage, while a cheap narrow gauge line through Skye from the opposite shore of Kyleakin Ferry would minimise any disadvantage under which the people thus lie from their insular position. A similar line from the remoter parts of Lewis to Stornoway, with regular steam communication thence to Kyleakin would be of equal benefit to the northern part of the Long Island. The southern part of the Long Island, along with Tirce and Coll, should be connected by a daily service with the Oban Railway. The nearer these remote localities are brought to the great centre of consumption and industry, the more the resources of the districts are developed. It may be reasonably expected, therefore, that the cost of providing improved communication with these outlying islands would in a few years be considerably reduced, owing to the increase in the local traffic which a new and more direct and rapid route is sure to create.

We are, however, of opinion that the fishing industry of the Outer Hebrides can never be fully developed until the railway is extended to the sea at some central point on the west of Inverness-shire, and daily communication established between the new terminus and the various fishing stations in the outer isles. Last May a scheme was brought before Parliament by a company to carry a line of railway from Inverness by the valley of the Caledonian Canal and Fort-William to Glasgow, crossing the Caledonian and Oban Railway near Tyndrum. Had this proposal been carried through, a branch line from Fort-William to the sea, near the head of Loch Nevis, could have been constructed. But the scheme was rejected by the Committee of the House of Commons to which it was referred. Other suggestions, for the same object, have from time to time been brought under the consideration of the public in the newspapers.

We are unable, from any evidence submitted to us, to determine what line or scheme should be adopted, or what agency should be employed. The extension of the railway from some point on the present lines to the western sea would involve a branch line

of about eighty miles in length. If, however, the railway were brought to Fort-William, the distance would be reduced by more than one-half. The branch line, at all events in the first instance, would not pay interest on the outlay; and if left to the unaided efforts of railway companies, it might be indefinitely postponed, leaving the Highland fisherman, as at present, half idle, and the Lowland artisan imperfectly supplied. Under these circumstances, we are of opinion that Government, acting on the one hand on behalf of a people crippled in their powers by the stubborn features of nature, and, on the other hand, in the interests of an industry of national importance as a source of food supply to the whole community, might step in and grant financial assistance. This aid might be afforded in the form of subsidy to some existing company, or to some company to be formed hereafter. The possible loss to the public exchequer would be small; the link between the toiler of the sea and the toiler of the town would be profitable to both. We need not here seriously discuss, in principle, the question of Government aid to useful enterprise prompted by motives of general concern. The Highlands have often felt the helpful hand of Government in public works. The military roads in the beginning of the eighteenth century, the parliamentary roads in the northern counties at a later date, the Caledonian Canal, were all executed at the charge of Government; and in our own day harbours of refuge are being constructed at a vast cost to the Imperial Treasury at various stations on the British coast.

In the remoter parts of the Highlands and Islands it is considered specially desirable that, in the nomination of postmasters and telegraphic officials, persons be selected who are altogether independent of local or political authority and influence. It is but right to state, however, that this matter has not been made the subject of particular complaint to us.

4. *Alleged Grievances.*—In the course of our inquiry, certain alleged grievances in connection with the fishing industry were brought under our notice, which it seems to us ought to be inquired into, and which, if well founded, should be remedied. Thus we were told that the lobster-fishing, which has afforded remunerative employment to many on the west coast, is deteriorating. It appears from the evidence led during the Crab and Lobster Fisheries Inquiry a few years ago, that the law prohibiting the fishing of lobsters from the first day of June to the first day of September is practically a dead letter; and to the disregard of this law and the capture of undersized fish is attributed the decline in the supply of lobsters. The Commissioners recommended that it be made illegal to capture or sell lobsters under a certain size, and that the Secretary of State be empowered to make regulations for the observance of close time in the several localities. We are of opinion that these recommendations ought to be given effect to, and that the Fishery Board of Scotland should be empowered to enforce them.

Beam trawling has not hitherto been practised on the banks of the west and north coast, but the local herring fishermen complain that their inshore and loch fishing are often injured by the Lochfyne fishermen using the trawl net, instead of the drift net, which is alone used in the north. The fishing of Lochfyne has

FISHERIES
AND COM-
MUNICATIONS.

prospered, and hitherto the herring has not forsaken that loch, although the trawl has been almost the only net used for many years. There may be inconvenience, if not loss, in fishing with both kinds of net in a narrow loch, but we believe that the officer having the supervision of the fishing ground for the time being will be able to settle satisfactorily any disputes that may arise in connection with this matter.

Evidence,
p. 1014.
1019.

Of recent years the herring fishing is prosecuted off the north end of Lewis on the banks fished by the local fishermen for white fish. The line fishermen complain that their lines are frequently injured, sometimes lost, through the carelessness or recklessness of the herring fishermen. The buoys of the long lines get entangled in the herring net and are dragged from their place, sometimes broken, sometimes, it is alleged, cut adrift. We believe that damage is occasionally done in this way. It is evident, however, that the herring fishermen cannot be precluded from shooting their nets wherever they please in the open sea. In this matter also we would recommend that the officer in charge of the station should be empowered to make inquiry and to settle such cases in a manner which seems to him reasonable and just.

Evidence,
p. 3356.

The Lochfyne fishermen sell their fish fresh at so much per box of about a quarter-cran in capacity, this being found to be the most convenient mode for the transfer of the fresh fish from that district to the market. They have represented to us that there is not a standard quarter-cran measure. They desire that such a measure should be sanctioned, and that buyers should be bound in all cases to use it. We are of opinion that this request of the Lochfyne fishermen is reasonable, and that without much trouble or expense it can be complied with. We accordingly recommend that a standard measure of the capacity of a quarter-cran be legalised and supplied to herring buyers.

Evidence,
p. 3352.

We were informed at Tarbert that the herring fishing is prosecuted in Lochfyne to some extent on Sunday, and that in consequence both the fishing of Monday and the market for the fresh fish on Tuesday are injured. We would recommend that the law prohibiting fishing on Sunday should be more rigorously enforced in Lochfyne.

III. EDUCATION.

EDUCATION.

The subject of education has been kept in view throughout our inquiry as one of the most important of all the agencies affecting the welfare of the people, though it was not pressed on our attention so much as its importance would have justified. Considering that the national provision now supplied to meet the educational wants of the country has laid a new pecuniary burden on the people, and makes the duty of giving elementary education to their children compulsory, under stringent penalties, the fact that they generally appreciate the new order of things is creditable to their intelligence. It cannot be said, however, that they take advantage of it to a satisfactory extent, or that it is so popular as it ought to be.

The progress of education in the Highlands and Islands has necessarily been slower than in those parts of the realm more favoured in situation and circumstances. This has been especially the case in the more remote localities where the English language is known to the natives only as a foreign tongue, in idiom and every other respect differing from their own more than either Latin or Greek. That the material condition of the great majority of the people in these comparatively inaccessible regions should be much behind that of the rural population in other parts of Scotland is what might naturally be expected, and this has not been sufficiently considered in judging of the people and their requirements. The conditions of life for a family in the island of Heisker, in the Outer Hebrides, or Foula in the Shetland Isles, are almost as different from those of a family in Midlothian or Middlesex, as if they lived in another hemisphere. The application to such places of the same rules, to entitle them to benefit by the national provision for education, as are suitable for densely peopled localities of smaller area, would be unjust and absurd, and in point of fact it is not done. But some further modification of these rules for the benefit of such places is still required, and more consideration of geographical facts.

EDUCATION.
Progress of Education comparatively slow in Highlands and Islands.

While it is true that the physical conditions of life in the remoter parts of the districts in question, and the possibility of utilising the means of modern progress, are far behind those of the more favoured parts of our country, it is pleasing to know that the general character of the inhabitants is not so by any means. It may be said, on the contrary, that in no part of Your Majesty's dominions are there to be found, among the humbler ranks of society, more intelligence, better manners, purer morals, than in the remotest parts of the Highlands and Islands, from the Mull of Kintyre in Argyllshire to the Skaw of Unst in Shetland.

The improvement in the means of education in this part of the kingdom has been very marked since the Scottish Education Act of 1872 came fairly into operation. There was necessarily much delay, in many parishes, in the erection of the necessary buildings, the natural result of which was temporary paralysis of educational effort, and a gradual abandonment of schools in some places where they had previously been kept up by ecclesiastical agencies or benevolent societies, as a necessary supplement to the parochial system of education. The injury thus sustained by a large number of children, with results affecting their future lives, is beyond question. Generally speaking, it may be said that the benefits of the Act did not for several years come fairly into operation in the Highlands and Islands, so far as they came within the scope of our inquiry. In one large parish, Barra, the two new schools erected under the Act were not opened till 1882. School-houses have still to be built in several places; and in various remote corners some of the benevolent agencies referred to above still continue to supplement the deficiencies of the public educational provision.

Improvement since Education Act of 1872 came into operation.

It is not surprising, therefore, to find that the education of the adult population of the Hebrides—of the women in particular—has not advanced much for the last twenty years, so far at least as

EDUCATION.
Number of
adults unable
to write.

their capacity to write their names is a test. The percentage of men in the Hebrides that signed their names by mark in the marriage registers in 1862 was 47·6, and of women 64·8. In 1882 the male percentage had fallen to 32·6, the female percentage only to 61·2. The improvement in this respect in these islands will, no doubt, be more marked by the time that the boys and girls who have attended school since the Education Act came into operation come to sign their names in the marriage registers.

Table I., made up from the Registrar-General's annual reports, gives some interesting information in this connection. These figures, though liable to accidental fluctuation, and not to be made the basis of hasty generalisation, are instructive. It will be observed that the percentage of signatures by mark is small in Orkney and Caithness compared with the Hebrides. Orkney, in particular, occupies in this respect a high position. Only one other county, Kinross, stands above it.

TABLE I.—PERCENTAGE of MEN and WOMEN who Signed the Marriage Registers by Mark at Three Periods, from 1862 to 1882, in various Districts of Scotland.

	1862.		1872.		1881.	
	Males.	Fem.	Males.	Fem.	Males.	Fem.
SCOTLAND,	10·01	20·35	10·44	20·52	7·00	13·9
I. NORTHERN DISTRICT. (Orkney, Shetland, Caithness, Sutherland),	7·81	18·73	6·12	11·75	3·62	10·14
II. NORTH-WESTERN DISTRICT. (Inverness, Ross and Cromarty),	32·35	49·55	27·83	46·67	21·73	32·57
III. NORTH-EASTERN DISTRICT. (Nairn, Elgin, Banff, Aberdeen, Kincardine),	3·51	9·41	2·47	7·64	1·04	5·12
IV. EAST MIDLAND DISTRICT. (Forfar, Perth, Fife, Kinross, Clackmannan),	6·37	14·65	5·50	13·75	3·59	9·36
V. WEST MIDLAND DISTRICT. (Stirling, Dumbarton, Argyll, Bute),	13·64	24·26	9·43	18·99	8·92	13·06
VI. SOUTH-WESTERN DISTRICT. (Renfrew, Ayr, Lanark),	13·54	29·02	15·23	29·61	10·45	20·18
VII. SOUTH-EASTERN DISTRICT. (Lothians, Berwick, Peebles, Selkirk),	5·43	9·73	5·86	9·97	3·23	5·68
VIII. SOUTHERN DISTRICT. (Dumfries, Kirkcudbright, Wigtown),	4·73	7·89	4·37	5·99	2·80	5·12
1. Orkney,	2·71	7·06	2·25	2·25	0·70	2·01
2. Shetland,	12·31	39·62	7·20	19·20	1·04	16·54
3. Caithness,	7·50	9·00	8·15	8·70	4·95	7·49
4. Sutherland,	9·09	25·25	7·69	23·08	10·14	21·73
5. Ross and Cromarty,	34·40	49·60	26·06	49·01	24·59	47·21
6. Inverness,	30·86	49·52	29·19	44·88	17·50	27·50
7. Argyll,	13·68	28·21	11·68	18·86	10·08	15·50
8. Bute,	7·29	10·41	5·94	20·79	5·56	10·11
9. Perth,	4·25	5·67	1·85	4·84	1·59	5·28
10. Kinross,	0·00	0·00	0·00	2·70	1·00	0·00
11. Peebles,	0·00	1·66	1·61	6·45	2·66	2·66

The educational statistics of the last census show, however, that while the education of adults in the counties of Inverness and Ross is much below the average of Scotland, the number of children now being educated in these two counties is greater in proportion to the population than in any other county except Caithness. Looking to the extraordinary disadvantages under which a great number of the children in these counties labour, especially in the Islands, this fact, with all due deduction from the value of the figures, gives them a strong claim to liberal consideration from the Education Department.

EDUCATION.
Number of Children receiving Education in various districts.

Table II. is compiled from the Appendix, Table LVI., in vol. ii. of the Scottish Census Report, 1881; and it has to be remembered, that while the calculations in Table I. are founded on figures taken from official registers, those in Table II. are founded on information received from the parents of the children by the enumerators, and probably include all the children on the school rolls at the time, whether in actual attendance or not.

Notwithstanding the educational loss caused during the transitional state of things between 1872 and 1882, and the unequal burden laid on the poorest and neediest localities, it is due to the Act of 1872 to say, that its visible effects are almost as remarkable as the state of the Highland roads after they were constructed by Marshal Wade. Formerly, good school buildings and apparatus were uncommon, pleasing exceptions in the midst of general poverty and discomfort. Now, the school buildings

Improvement in school buildings.

TABLE II.—PERCENTAGE OF CHILDREN receiving Education in various Districts of Scotland in 1881, up to 15 Years of Age.

SCOTLAND.	Percentage under 5 years, 2-77.	Percentage 5-15 years, 78-98.	Percentage of total population receiving education, 19-28.
I. N. District.	3.11	84.59	19.52
II. N.-W. "	4.04	86.90	20.71
III. N.-E. "	3.66	84.51	22.01
IV. E.-Midl. "	4.46	79.88	19.75
V. W.-Midl. "	2.47	79.10	19.37
VI. S.-W. "	1.59	73.93	17.76
VII. S.-E. "	3.10	80.72	19.49
VIII. S. "	3.23	84.61	20.55
1. Orkney, . . .	2.64	85.59	19.66
2. Shetland, . . .	2.06	78.35	16.98
3. Caithness, . . .	4.03	87.71	21.91
4. Sutherland, . . .	3.54	85.27	18.43
5. Ross and Cromarty, . . .	2.94	85.88	20.43
6. Inverness, . . .	5.04	87.86	20.97
7. Argyll, . . .	3.16	83.47	20.04
8. Bute, . . .	2.15	74.89	16.62
9. Perth, . . .	4.68	83.21	19.59
10. Peebles, . . .	3.57	78.22	18.90
11. Lanark, . . .	1.60	72.69	17.19
12. Edinburgh, . . .	3.18	80.57	19.30

EDUCATION.
Schoolhouses.

everywhere attract the eye as among the best and most ornamental buildings to be seen, while internally they are well furnished, and arranged for the comfort both of teachers and of scholars. We have been indebted to them in many places for the accommodation required for our meetings. If the design has been in some cases unnecessarily costly, not to say extravagant, the advantage, from an educational point of view, of accustoming the children of the poor to rooms which are patterns of cleanliness and order, cannot be reasonably questioned. The more they are impressed by the contrast between the tidy comfort of the schoolroom and the rude poverty of their homes, the more likely are the dwellings of the next generation to be improved. The more attractive the schoolroom is made, the better also should be the attendance.

The number of schools is not so great as it was before 1872, but the accommodation is larger. Though some remote localities are still in need of additional provision, the buildings on the whole have been erected in the situations most suited to the convenience of the people, and with accommodation far more than sufficient for the actual attendance.

Attendance.

As the natural result of a compulsory clause and better accommodation, the attendance has improved. Statistics are not required to show that the number of children in rural districts now on the school rolls embraces nearly the whole of those of the school age. Twenty years ago, probably ten years ago, a considerable proportion of the children were not on any school roll in some remote districts, and the attendance of those on the roll was very irregular. It is so still, unfortunately, in a great part of the Highlands and Islands, in spite of the compulsory clause, with the necessary consequence that the amount of Government grant realised is much below what it should be, in the very places where it is most required.

Improved remuneration of teachers.

The extraordinary rise in the remuneration of teachers has been one of the most remarkable results of the Education Act, and does honour to the ratepayers who have to bear a great part of the burden. It was a just recognition of the merits of a class of public servants, up to that time seldom remunerated adequately, more often miserably.

A single example will sufficiently illustrate this. In 1865 there were 47 schools in the island of Lewis, with 62 teachers. Their total income was £1555, 7s. 10d., being an average of £33, 1s. 8d. per school, and of £23, 18s. 4d. per teacher. Of this sum only £169, 10s. were contributed from the public revenue. The number of schools in that island aided by Parliamentary grants in 1882 was 36; the number of teachers is not given; but the amount expended on their salaries was £3070, 4s. 1d., being an average of £85 per school. Of this sum £1999, 3s. 4d. were obtained from Parliamentary grants.

School fees.

School fees formerly were seldom exacted with any regularity; in some parishes they were never paid at all. Of the scholars on the rolls of all the schools in the Hebrides in 1865, 74 per cent. paid nothing, and the total amount of fees in the district was £657. In this respect also there has been a considerable change. In 1881-2 the fees amounted to £1183 in these islands.

The results of the improvement in the means and organization of popular instruction, if not so marked as the improvement in the position of the teachers and the quality of the buildings and apparatus, have been, we believe, very considerable, even in those parts of the country where the proper carrying out of the provisions of the Education Act is most difficult and burdensome. The essential elements of primary education are being taught and learned more extensively and efficiently from year to year; and though in the opinion of many, the higher branches, which it was the glory of the parish schools to have taught so thoroughly in former days, are comparatively neglected now, under the pressing exigencies of the Education Code in favour of the elementary branches, there are experienced judges who think that the injury done in this direction has been exaggerated.

The supposed 'religious difficulty,' which so long stood in the way of a national system of education, seems to have disappeared in the Highlands and Islands as completely as the Fairies or Second Sight. Even in 1865 it was reported to the Education Commission that this difficulty did not exist in those parts of the Hebrides where the schools were conducted entirely by Protestants, and the majority of the population were Roman Catholics. The 'conscience clause' of the Act of 1872 was practically in operation in those parts before it ever became statutory. It has, however, been represented to us as a grievance, on high clerical authority, that of the esteemed Roman Catholic Bishop of Argyll and the Isles, that under the present administration of the Act in South Uist and Barra, where the majority of the population are Roman Catholics, due regard has not been shown, in the selection of teachers, to the religious principles of the majority of the population. If this contention is well founded, and if the School Boards, as at present constituted, should not hereafter give due consideration to the wishes of their constituents, the remedy is in the hands of the ratepayers at any ensuing election of the Boards.

While there is reason for congratulation on the progress that education is making in the Highlands and Islands, there are circumstances peculiarly affecting it which are very far from being satisfactory, and which, we think, ought, in the interest not only of the people specially concerned, but of the country at large, to be dealt with as soon as possible.

Prominent among these circumstances is the extreme costliness of education in some of the poorest districts, of the Islands in particular. The school-rate in some insular parishes, as compared with other parts of Scotland, is exorbitant—all the more so, that the most of the ratepayers on whom half the burden is laid are in very humble and straitened circumstances. This is especially the case in the island of Lewis, in one parish of which, Barvas, the school-rate reached, in 1881, the highest point it has ever attained in Scotland, 6s. 8d. in the pound. The aggregate amount of rates levied parochially in Barvas, amounted in that year to the extraordinary sum of 11s. 6d. in the pound.

A result such as this was certainly not contemplated by the framers of the Scottish Education Act. It seems not to have been

EDUCATION.

General
Progress.The religious
difficulty.Excessive
school rates in
some High-
land and
Island
parishes.

EDUCATION.

Excessive
School rates.

anticipated, when that Act was passed, that the school-rate over Scotland would amount to anything like what it has generally attained, even in the most favoured localities. The provisions of the Act sufficiently show this. A rate of 3d. in the pound was apparently regarded as likely to be exceptional; and in cases where the produce of that rate would not amount to £20, or to 7s. 6d. per child in average attendance, an additional grant was provided for by section 67, to bring the total up to £20, or 7s. 6d. per child. By another clause of that section, a special building grant, irrespective of the amount locally contributed, was allowed for any parish in certain Highland and Island counties (Inverness, Argyll, Ross and Cromarty, Orkney, and Shetland) where the rate would amount to 9d. in the pound, which was evidently considered an extraordinary rate. So far is it, however, from being so, that it is quite moderate compared with the rate in a large number of Highland and Island parishes. The total number of parishes in Scotland in which the rate in 1881-82 exceeded 9d. was 115, and of these 76 were Highland and Island parishes. All the parishes mentioned by the accountant to the Scottish Education Department, in his report for that year, as having a rate exceeding 1s. in the pound, are, with one exception, in the counties embraced in our inquiry. In 12 insular parishes of Inverness-shire, Ross-shire, and Shetland it exceeded 2s. in the pound.

Chiefly caused
by extraordi-
nary number
of buildings.

The chief cause of this extraordinary taxation has been the expense incurred in building and maintaining an exceptionally large number of schools, rendered necessary by the enormous extent and scattered population of most of the Highland and Island parishes. The keeping up of ten schools with their proper staff of teachers, in a parish of 30 miles in length and 20 in breadth, with a rental of £5000, must necessarily be more costly than the maintenance of two schools in a parish of equal population, higher rental, and area in the proportion of 1 to 10. These Highland and Island school buildings were erected under the stringent regulations of the Scottish Education Department, in a style and on a scale often beyond the requirements of the people, and at an expense quite disproportioned to their means, at a time when building was exceptionally costly. In point of fact, the necessity for the erection of so many schools in these remote localities, within a certain time, produced a rise in wages and in the cost of building beyond all previous experience.

Cost of school
buildings in
Lewis.

A few figures will illustrate this:—Taking the island of Lewis, as presenting, on the whole, the most striking exhibition of poverty combined with excessive taxation, the population in 1881 was 25,487, and the rental in 1882-3 £24,231, 17s. The number of children for whom school accommodation has been compulsorily provided is 5071, which would suffice for a population of above 30,000. The average attendance in these schools in 1882-3 was only 3061. The amount spent in school buildings since 1873 was £54,549, 13s. 7d., of which £33,210, 2s. 11d. were advanced by Government, at 3½ per cent. interest, payable in fifty years. The balance due on 15th May 1882 was £22,403, 17s. 1d. One parish, Lochs, with a population of 6284, and a rental of £4670, has

expended the sum of £20,311, 17s. 2d. on school buildings, and still owes £8983 out of £12,428 advanced by Government. These £20,311 were expended on twelve schools, including dwellings, &c., all admirable in structure, and no doubt conformable to the regulations of the Department, but in a style and at a cost so much beyond the wants of the people or the finances of the parish, as to excite very qualified approval. Of 152 ratepayers in the parish, 107 pay rents under £7.

EDUCATION.

School building in Lewis.

This case, though remarkable, is not at all singular. Similar are the parishes of Harris—population 4814, rental £6194, 3s. 1d.; ten schools built or repaired since 1873 at a cost of £14,803, 13s. 10d.; schoolrate, 1882, 2s. 8d.; N. Uist—population 4299, rental £5469, 16s. 10d.; nine schools built or repaired since 1877 at a cost of £9384, 7s. 7d.; schoolrate, 1882, 3s. Many other parishes in the Hebrides and Shetland show an equally striking contrast to such Lowland parishes as Liberton, Midlothian—population 5731, rental £48,944, 6s. 7d., six schools, for which only £249, 17s. 6d. had to be borrowed; schoolrate, 1882, 2½d.; Dalmeny, W. Lothian—population 3074, rental £18,549, 6s. 1d., two schools, for which £528 of building grant; schoolrate, 1882, 6d.; Ettrick, Selkirkshire—population 397; rental £11,651, 11s. 1d.; one school, for which no loan or grant for building; schoolrate, 1882, 2d.

Comparison of Highland and Lowland parishes.

So far, therefore, as such parishes are concerned, where the outlay on education and the local resources are so painfully disproportioned, the Education Act of 1872, otherwise so beneficial to the nation, has laid a burden on the people quite beyond their strength, with the sad result of rendering that which they are naturally disposed to appreciate highly not only distasteful but grievous. There could be no greater misfortune than so to administer the blessing of education as to make it oppressive to the people.

The loss to school revenues caused by the irregular attendance of so many of the children is considerable, and involves not only the loss of the ordinary grant, but, in many cases, the inability to take advantage of the exceptional provision of clause 67 of the Act, for the benefit of parishes where a schoolrate of 3d. in the pound does not produce 7s. 6d. per head on the number of scholars in average attendance. The blame of this lies, to a great extent, on the parents, who have but a defective appreciation of the importance of punctuality and perseverance in learning, and imagine that the amount of education which they deem adequate may be acquired in a much shorter time than is really necessary. The excuses for non-attendance are often trifling; but no humane person can blame those who keep their children at home on days when they could not go a quarter of a mile without being wet to the skin. The number of such days in the Highlands and Islands is considerable, and so is the number of children whose clothing is scanty and poor. They are a hardy race, and have little dread of weather; but in the calculation of the average number of days of attendance entitling to a Government grant, we think there should be some consideration of the physical facts peculiar to the district. Such are the inclemency of the weather during a great part of the year, the distances which many of the children have to walk, the want of

Loss caused by irregular attendance.

EDUCATION.

roads and bridges in some places. It appears to us that, on these among other grounds, the number of days qualifying for examination should be reduced in this district.

The Compulsory Clause practically inoperative.

The attendance, as already said, has improved, partly from the moral effect of the compulsory clause of the Education Act of 1872. But the working of that clause has been found difficult all over Scotland, and its enforcement in a great part of the Highlands and Islands has been found almost impracticable. The local management is also, in many cases, defective. There are parishes in which the compulsory officer lives at such a distance from the majority of the population as to make it quite impossible that he should be of any use unless he devotes his whole time to this function. The provision is simply unworkable in a large insular parish, with a population scattered over a wide area, including, perhaps, several distant islands. It is not surprising, therefore, to find that the amount of fines recovered under this clause all over Scotland in 1881-82 was only £280, 9s. 2d., while the expense of prosecuting the defaulting parents was £1449, 15s. 6d. The expense is more than 5 to 1 of the amount recovered. In the districts to which our inquiry refers the process, as might be expected, is still less productive. The amount of fines recovered in 1881-82 under clause 70, in the counties of Argyll, Caithness, Inverness, Orkney, and Ross, was £12, 2s.; in the counties of Shetland and Sutherland, no fines were recovered. The expense of prosecuting in the above counties amounted, however, to £107, 8s. 6d., being nearly in the proportion of £9 to each pound recovered. This process has hitherto been conducted by the Procurator-Fiscal before the Sheriff-Substitute, both resident at great distances from some of the parishes within their jurisdiction—distances in some cases implying a journey or voyage of days. It need not, therefore, be matter of surprise that prosecutions under this clause are extremely rare—Schools Boards cannot afford them. The loss caused by non-attendance of children in some places has led to the attempt on one estate (Lewis) to make up for the deficiency in the school revenue by a process less expensive than the statutory one, viz., the addition of the grant forfeited by the defaulting child to the rent of the parent. This expedient, though well meant, cannot be recommended, and has been given up on the estate in question. The new provision of the Education (Scotland) Act of 1883, empowering School Boards to bring such cases before one or more Justices of Peace sitting in open court, may be found useful in districts where the parent in default resides at a distance from the Sheriff Court, making his being summoned to appear there unreasonably expensive. The prosecutor in such cases should be the School Board clerk or the compulsory officer, if resident in the parish.

Amendment
Education Act
of 1883.

The amount of school fees paid in the counties of Shetland, Sutherland, Ross, and Inverness, in proportion to the population, is much below the average of Scotland, as the following table will show:—

School Fees, 1881-82.

EDUCATION.
School fees.

	Population.	Fees.	Per cent. to Population.
Scotland,	3,735,573	£209,231 19 4	1/1½
1. Shetland,	29,705	£798 4 11	6½
2. Sutherland,	22,376	483 18 9	4½
3. Ross,	79,467	2136 5 5	6½
4. Inverness,	86,389	2378 12 0	6½
5. Caithness,	39,859	1606 12 2	9
6. Argyll,	80,761	3313 12 7	9½
7. Orkney,	32,044	1568 14 11	11½
8. Bute,	17,634	1127 14 10	1/3½

The poverty of the inhabitants is the only satisfactory reason to be assigned for this, there being no evidence otherwise that education is less appreciated in these counties than in the rest of Scotland. The extent to which they avail themselves of the provision in sect. 69 of the Educational Act for the benefit of persons unable to pay for the education of their children is not greater, however, in these counties than in any other part of the kingdom. The following table gives the figures:—

Number of Children whose Education was Paid for out of Poor-rates in Highlands and Islands, 1882-83.

Number of
children paid
for from poor
rates.

	Population between 5 and 15.	Pauper children paid for.	Cost of their Education.	Non-pauper children paid for.	Cost of their Education.	No. of applica- tions granted under sect. 69.	Percentage of Pauper and non- pauper children paid for (between 5 and 15).
			£ s. d.		£ s. d.		
Scotland,	855,015	26,646	16,742 9 5	11,143	7,969 11 0	6,653	4.41
Argyll,	17,927	373	213 3 8	192	128 11 5	89	3.15
Caithness,	8,968	295	159 1 9	197	137 6 5	47	5.48
Inverness,	18,382	650	327 12 5	183	89 2 11	115	4.53
Orkney and Shetland,	13,072	241	111 10 1	121	48 3 7	46	2.76
Ross and Cromarty,	17,278	627	327 1 8	195	100 17 10	104	4.75
Sutherland,	4,407	151	64 7 7	31	19 10 6	11	4.12
Total,	80,034	2337	1202 17 2	919	523 12 8	412	4.06

The unwillingness of respectable people to be classed among paupers is fortunately very prevalent still. There would be no such objection, however, to the gratuitous education of their children, a suggestion seriously made in regard to the districts now in question by persons who have given much consideration to the subject.

EDUCATION.
 Proposed
 Alteration of
 69th clause
 of Education
 Act.

We recommend that the 69th clause of the Act should be altered, to the effect of transferring from the Parochial Board to the School Board the duty of paying for poor children, which was the provision in the Bill as originally framed; and further, that the School Board should have a discretionary power to remit the fees in part as well as wholly, taking into consideration the whole circumstances of the family.

We think it advisable that at the close of each quarter or half-year, payment of the fees due should be summarily enforced, so long as fees are exigible, or that the debt should be there and then wiped out. Nothing has a more deterrent effect on attendance than a burden of debt for fees hanging over the heads of a poor family.

Proposed in-
 crease of
 grants.

The provisions of clause 67 of the Act have been already referred to. They were specially devised for the benefit of the poorer districts, and of certain Highland and Island counties in particular; but they have not met the difficulty which they were intended to overcome. We are of opinion that, in any parish where the schoolrate exceeds 1s. in the pound, further relief should be given to the ratepayers than is provided for under the existing law; and that where a rate of 2s. in the pound is insufficient, along with fees and grants, to cover the educational expenditure of the parish, the deficiency should be directly made up by a grant from the Treasury; and we recommend that the Scottish Education Department should be authorised to frame a scheme to carry out this suggestion. It is believed that such a provision would result in much benefit to poor and sparsely populated districts in the Highlands and Islands, and that the increase in the expenditure of public money so incurred would be so small as to be scarcely worthy of consideration, in comparison with the result.

Proposed
 cancelling of
 building
 debts.

We recommend that in all parishes where the cost of the school buildings and other expenses under the Act have produced a rate exceeding 1s. in the pound, on an average of the last five years, the debt so incurred should be thenceforth cancelled. This recommendation is founded on the extraordinary expense incurred, as already stated, in the compulsory erection of school buildings in poor localities, on a scale and at a cost disproportioned to the circumstances of the population for whose benefit they were erected.

We recommend that the county of Sutherland should be admitted to participation in the benefits now enjoyed or to be conferred exceptionally on Highland and Island counties.

Proposed
 increase of
 educational
 staff.

The weakness of the educational staff in a large number of the schools in the more populous localities is a defect not peculiar to this part of Scotland, but none the less does it seem to us to call for improvement, and for reasonable help in poor districts. We think that a graduated grant might be allowed for every additional teacher, pupil-teacher, or monitor employed, beyond the requirements of the Code, in the work of a public school, whether certificated or not, with results satisfactory to the inspector of the district.

We think it desirable that the number of female teachers in the Highlands and Islands should be increased, whether as sole

teachers or as assistants. They are generally not less successful than male teachers, up to the measure of their qualifications; they can teach branches of which men know nothing, but which are of great practical importance; they cost less; and they contribute a little more of those civilising influences which women exert, and which cannot be estimated by arithmetic.

EDUCATION.
Female
teachers
recommended.

The weakness of the provision for secondary education constitutes the only serious defect in the educational system of Scotland, and it is more peculiarly felt in the Highlands and Islands. Every rational effort for an improvement in this direction is to be commended, and we have pleasure in noticing what has been done to stimulate competition and encourage talent, by county clubs and associations, by societies of ladies connected with the Established and Free Churches, and, in particular, by bursary schemes. The proposed scheme of the Society for Propagating Christian Knowledge, to be submitted to the Scottish Endowments Commission, contains liberal provisions for this purpose, which, if carried out, may be expected to lead to most valuable results in the Highlands and Islands.

Education :
agencies for
its improve-
ment.

The want of higher class schools or academies to carry on the education of ambitious pupils and fit them for the universities is much felt. There is none on the west of Sutherland or of Ross-shire, none in all the Western Islands, or on the whole western coast, from Cape Wrath downwards, till Campbeltown is reached. This is a matter belonging more properly to the Commission, already named, to which we recommend the claims of the Highlands and Islands for consideration with great confidence. Whether any new upper schools can be established in these parts or not, much might be done by a well-framed bursary scheme, enabling meritorious youths to prosecute their education in such institutions. It is very desirable, in any case, that there should be in every parish at least one school with all facilities for teaching the higher branches, and that special encouragement in this direction should be given by the Education Department and by School Boards to the masters of such schools.

Want of
higher
schools.

We come now to a question affecting only those parts of the districts to which our inquiry was confined in which the native language is Gaelic. These are in the counties of Argyll, Inverness, Ross, and Sutherland. The proportion of the population of Caithness who speak Gaelic is so small that it may be left out of account. According to the census return of 1881, the number of persons in Scotland who speak Gaelic habitually is 231,594; and of these, 184,230 belong to the four counties above named. The mode in which the Gaelic census was taken was not quite satisfactory, and the result can be taken as but a rough approximation to accuracy. Taking the figures for what they are worth, they show that Gaelic is still the native and habitual speech of a very large proportion of the population of these four counties, the percentage being—in Argyllshire, 60·81; in Inverness-shire, 70·80; in Ross-shire, 71·40; and in Sutherland, 75·31. The question we have to do with is, whether and how far that fact should be taken into account in considering the provision made for the education of the people? For us it is not a question

The use of
Gaelic in
teaching
English.

EDUCATION.

The use of
Gaelic in
teaching
English.

of sentiment, nor of comparison between the English and Gaelic languages as vehicles of thought and influence, but a practical question in education. The first object of all the educational machinery set agoing in the Highlands at the public expense is to enable every Highland child as soon as possible to speak, read, and write the English language correctly; and the question is, can that be done efficiently, in the case of a child who hears and speaks nothing but Gaelic at home, without making any use of the only language the child understands? The answer to that question seems so obvious as to make it matter of wonder that any persons claiming to be experts in education should ever have answered it in the affirmative. The time-honoured custom of teaching English boys to learn Latin out of a grammar composed in that language has been generally abandoned. Even when such an absurd practice was followed, explanations were vouchsafed in English. But the poor Highland children have too seldom been allowed the privilege of being addressed in the only language intelligible to them. They have been treated as if endowed with the gift of unknown tongues; and men specially entrusted with the duty of superintending their education have considered this reasonable, for reasons satisfactory to themselves.

Opinion of
Dr Johnson.

The authority of the great Dr Johnson, who was no admirer of the Gaelic language, may be cited in proof of the absurdity of the system which he found prevailing in the Hebrides in 1773—the native language proscribed in the schools, and the children taught to read ‘a language which they may never use nor understand.’

Results of
prejudice
against use of
Gaelic in
schools.

The illiberal prejudice which caused this neglect of the native language was shared, curiously enough, by the illiterate parents and the educated men who had the instruction of their children in charge. The opinion of the ignorant on a question of practical education was accepted and cited, in this country, as it has been in Ireland, as if it were of any value. The result has been that the intelligent education of the Highland people, and even the progress of the English language in the country, have been retarded in a degree of which the statistics already given in reference to the adults are an illustration. Many of them, we believe, were taught to read English, whose understanding of what they read was never tested by the simple process of translation to and from their native tongue. The result was, that though they could read English, they could not speak it, far less write it. Their inability to do so necessarily unfitted them for competition in the labour market, and made them less willing to seek their fortune in other parts of the world. This is, in fact, the chief reason why so many of the inhabitants of the remote Highlands and Islands are more home-keeping and averse to migration than their fellow-countrymen in districts where the same difficulty does not prevail.

Society for
Propagating
Christian
Knowledge on
use of Gaelic.

The directors of the Society for Propagating Christian Knowledge took this matter into special consideration in 1824, and after careful inquiry, came to the conclusion that great injury had been done by the neglect of the vernacular language in the work of education in the Highlands. ‘There seems to be,’ they say, ‘in the heads of the people, a very general prejudice against the use of the Gaelic as a school language, a prejudice which has been found in its full strength even when the older people could themselves use no other language. . . . But these poor people have

not reflection enough to perceive what is the truth on the subject, 'that so long as their children talk no other language but Gaelic, it is a mere waste of time and entirely vain to burden their memories for a few years with a vocabulary of dead and unmeaning English sounds.' Among the directors of the Society at this time were Dr Andrew Thomson, Dr Robert Gordon, Dr David Dickson, and Sir H. W. Moncreiff. As the result of their inquiry and consideration of the subject, the Society had a set of new lesson-books prepared, and made it a rule that the children should be taught to read Gaelic first before being taught English.

EDUCATION.
—
Society for
Propagation
of Christian
Knowledge.

This matter appears to have at intervals been brought under the notice of those specially concerned in the administration of parliamentary grants for education, and in March 1849 Sir J. P. K. Shuttleworth, the Secretary to the Committee of the Privy Council, addressed the following communication to the late Dr John Gordon, senior inspector of schools in Scotland:—

Sir J. P. K.
Shuttle-
worth's letter
to Dr Gordon.

SIR,—The Committee of Council on Education are convinced that it is expedient that a better provision should be made for the education of Her Majesty's subjects in the Highlands of Scotland, by promoting the employment of the Gaelic as well as the English language as a means of instruction in the Highland schools.

The Committee of Council on Education are satisfied that to instruct the children of the Gaelic population by lesson-books written in the English language alone, by means of teachers not familiar with the written and colloquial idiom of the Gaelic language, as well as the English, must fail to give the scholars of the Highland schools a grammatical knowledge of the Gaelic as well as any useful acquaintance with the English language.

This important decision was not followed by any practical result, we know not why.

The Scottish Education Commission of 1865 called special attention to this subject, and reported as follows:—'It may not be essential that a teacher should be able to give instruction in Gaelic, when he is appointed to the charge of a school in which a majority of the children can understand and speak English; but it seems obvious that in districts where Gaelic alone is understood, the teacher should be able to communicate with his pupils in a language the meaning of which they can comprehend. . . . It is a mistake to overlook the difficulties of the scholar who is sent to learn what is to him a foreign language, without having first acquired the art of reading his own.'

Scottish Edu-
cation Com-
mission of
1865.

Notwithstanding this expression of opinion, the Act of 1872, while making some exceptional provisions for the benefit of the Highlands, ignores the fact on which the judgment was founded. Those interested in the matter used every exertion to induce the Education Department to make some such provision in the Code, and in 1877 a parliamentary return was obtained, from which it appeared that sixty-five out of ninety School Boards in the Gaelic-speaking districts of the Highlands, which sent in returns on the subject, gave it as their opinion that the use of the native language in the instruction of the children was desirable.

The result of these representations was the insertion of this clause in Art. 19 of the Scottish Education Code of 1878:—'In districts where Gaelic is spoken the intelligence of the children examined under any paragraph of this article may be tested by

Permission to
use Gaelic in
examining
children,
granted under
Code of 1878.

EDUCATION.

'requiring them to explain in Gaelic the meaning of the passages 'read.' To this a footnote was added, stating that 'Gaelic may be taught during the ordinary school hours, either by the certificated teacher, or by any person specially employed for the purpose.'

Another footnote, to Art. 17 (i), says that the income of the school 'may include part of the salary of an organising teacher, or a teacher of Gaelic, drill, cooking, or any other special subject, employed by the managers of several schools.'

Educational use of Gaelic should be not only permitted but enjoined.

The concession thus made is good so far as it goes, but something more is required. If it be expedient to use Gaelic in a Gaelic-speaking district to test the intelligence of the children, and the efficiency of the instruction they are receiving, by a habitual process of oral translation from the one language to the other, the practice ought to be not merely permitted but enjoined. It has, in point of fact, been used by many of the best teachers, and with the best results; but it has not been sufficiently encouraged by persons in authority. We believe it to be a matter so seriously affecting the intelligent education of Gaelic-speaking children, and thereby affecting the whole condition of the district to which they belong, and the future prospects of its inhabitants, that we have no difficulty in making the subjoined recommendations.

We have the satisfaction of knowing that the Vice-President of the Council on Education, who was recently addressed on this subject in Edinburgh, expressed an opinion in consonance with the view on which these recommendations are founded. We trust that, if approved of, they may have effect given to them in the next edition of the Code in place of the existing references to Gaelic.

The supply of qualified teachers possessing an accurate knowledge of Gaelic is more limited, we believe, than it used to be. Before the Education Act of 1872 came into force, special encouragements, in the shape of bursaries, were given to Highland students, male and female, entering the Training Colleges of the Established and Free Churches, to qualify themselves for being teachers in Gaelic-speaking districts. This practice has been given up since 1872, and there is comparatively little inducement for Highland students to prefer employment as teachers in their native districts. Much has been done to encourage young Highlanders to devote themselves to the ministry, but very little to encourage them to become teachers.

Grants to encourage Gaelic-speaking teachers recommended.

It was also the practice, before the Education Code was revised, to give grants in money for the special encouragement of teachers qualified by a knowledge of Gaelic for the better instruction of the children in Highland districts, as tested by examination. This practice is not consistent with the system on which grants are now given, but we think that special grants might still be given to School Boards employing teachers so qualified in Gaelic-speaking districts. It might be expected, as the result, that the services of teachers more highly qualified than can now be obtained could be secured.

Further recommendations.

We are of opinion that in the examination of a school where Gaelic is the habitual language of the inhabitants, the inspector should be required to report specially that in examining the children as to their intelligence, he had satisfied himself that the teacher had during the year made profitable use of their native language in testing their understanding of the English they were

being taught. In consideration of the difficulty and disadvantage under which teachers and children in such circumstances labour, we recommend that the grants under Art. 19, c. 1 and 2, of the Code should be increased in these districts from 2s. per scholar to 4s.

We are further of opinion that the Gaelic language, in virtue alike of its being the vernacular tongue of so considerable a population, and of its now recognised place among ancient languages, is entitled to something more than permissive recognition, and a place in a footnote along with drill and cookery. It seems to us not less entitled to a place among specific subjects, with special grants allowed for them, than any of the languages so classed. Its literature is of limited quantity, and not to be compared with that of the great nations whose languages are exclusively recognised. But it is and ought to be of great interest to the natives of the country in which it sprung, and a due acquaintance with it ought to be encouraged rather than despised. This has been done in Ireland, where the native language is classed among specific subjects, along with Latin and Greek, and a grant of 10s. is given for passes in any of these languages. We recommend that the same grant as is allowed under the Scottish Code for other languages should be given for Gaelic, where the teacher has proved his ability to give suitable instruction, and the pupil has been presented for examination in English Literature.

We think it very desirable that all children whose mother-tongue is Gaelic should be taught to read that language; and the rule of the Society for Propagating Christian Knowledge, that Gaelic should be taught first and English afterwards, seems founded on reason. There are practical difficulties in the way at present, such as the want of suitable lesson-books, and the want of a sufficient number of teachers for the purpose. We believe, however, that these difficulties are not insurmountable; and we think that in the meantime pupil teachers duly qualified might be profitably employed in teaching the younger scholars to read their native language; and that a small additional grant for those so qualified and employed would be a beneficial expenditure.

We also recommend that teachers should be encouraged by inspectors to submit some Gaelic songs among those to be sung by the children on the examination day, in order to obtain the music grant.

We think that the discouragement and neglect of the native language in the education of Gaelic-speaking children, which have hitherto so largely influenced the system practised in the Highlands, ought to cease, and that a knowledge of that language ought to be considered one of the primary qualifications of every person engaged in the carrying out of the national system of education in Gaelic-speaking districts, whether as school inspectors, teachers, or compulsory officers.

EDUCATION.

Increased Grant recommended where native language profitably used in teaching.

Gaelic recommended as a specific subject.

Knowledge of Gaelic important for inspectors, teachers, &c.

IV. JUSTICE.

JUSTICE.

The administration of local justice requires some remarks on our part in connection with the interests and feelings of the poorer classes of the community, in consequence of representations which have been made to us in the course of our inquiry.

Difficulty of obtaining legal assistance in remote localities.

The population of the Highlands and Islands is inconsiderable, and spread over a vast area. The seats where courts are held are restricted in number, and the procurators or certified pleaders are in most cases so few, that it is difficult for the people to get access to effective legal assistance otherwise than by correspondence. In the county of Sutherland, with a population of more than 23,000 distributed over wide tracts, there are three procurators settled in one corner of the district. In Lewis, with a population exceeding 25,000, there are four procurators, all at Stornoway. In the Long Island district of Inverness-shire, extending from Harris to Barra, and possessing a local sheriff-substitute, there are none. In Skye, with a population of over 17,000, there are two, both at Portree, one of whom is procurator-fiscal, or public prosecutor, while the other is factor for the greater part of the island. The difficulty which the poor experience in securing professional advice is to be deplored, but it is one which can scarcely be removed by legislation, and which, we trust, is not much felt among a people who are not litigious, and whose regular conduct and simple social relations do not offer many occasions for an appeal to justice, except in connection with small debts and claims for rent. The expense of executing small debt summonses is a hardship more susceptible of remedy. The cost of this proceeding is, in those remote localities, nearly always quite disproportionate to the amount sued for, and as much more important matters are now intimated by means of registered letters, the same method might be adopted for the purpose here referred to.

Number of places for sheriff-courts may be increased.

It has been suggested to us that justice might be cheapened and accelerated by enabling the sheriff of the county, acting alone or with other judicial officers of the same class, to hold courts with greater frequency, at a greater number of local centres of population and business, and that the powers now used by the court of the resident sheriff, for the adjudication of small debts on circuit, might be extended to all descriptions of cases within its jurisdiction, which might then be summarily disposed of on the spot, without being brought to the permanent seat of the court. This is, no doubt, a plausible and humane proposal, but it may be doubted whether it would be attended in practice with the advantages expected. The number of places at which the court of the sheriff is held, for the adjudication of small debts, can, under the existing Act, be added to by the Secretary of State. We are of opinion that the Secretary of State on the advice of the sheriff of the county should carefully consider in what measure this power should be exercised with a view to the convenience of the inhabitants. If the court were empowered to deal with other cases of a different kind, and higher value, the cost of engaging local pleaders on circuit would, under the exceptional circumstances of the country, be so great, as to deter

the litigant from availing himself of the facilities designed for his benefit; while the charge for moving the court, with its attendant officials, would be onerous to Government and the functionaries concerned, and out of all proportion to the business to be disposed of.

JUSTICE.

The office of sheriff-substitute in the Highlands and Islands is not always deemed a desirable one, and this circumstance has the effect of limiting selection at the seats of legal patronage, so that the choice of the responsible authorities may often fall on parties altogether unacquainted with the peculiar conditions of life in the districts referred to, and ignorant of the habitual language of the people. It may be worthy of consideration whether, in making selections for this office, the attention of Government might not be more frequently directed to experienced practitioners in the local courts, and whether preference both to the office of sheriff and to that of procurator-fiscal in the localities where these offices are least coveted, might not be to some extent recognised as conferring a claim to more desirable appointments elsewhere. It is also expedient that the important qualification of a knowledge of Gaelic should not be lost sight of, and the same qualification is as desirable in the case of procurators-fiscal as in that of sheriffs. The representatives of public justice in the secluded situations to which we allude are placed under many disadvantages with reference to society and residence. There might possibly be in some cases an unconscious admission of external influences, and in other cases the existence of such influences might be suspected where it does not operate. We think that, for the perfect independence of the local sheriff, he should be relieved as far as possible of all embarrassment and obligations in his social relations, and be provided with an official residence by Government.

Suggestions as to offices of sheriff-substitute and procurator-fiscal.

There is a natural tendency, in the poor and remote localities to which we are adverting, towards a concentration of offices, partly consequent on the inadequate remuneration of public functionaries, partly on the paucity of qualified persons, and partly, it may be, on the desire of local power which is attached to the cumulative possession of positions of this nature. The clerkship to the School Board, the collectorships of rates, the office of distributor of stamps, the clerkships of harbour trusts, the local bank agency, the factorate for private estates, and others, may be and are in some measure united in the hands of a single individual, while other persons perhaps equally deserving hold no offices at all. This when carried to excess is a state of things to be deprecated, but Crown offices alone can be controlled by authority, and those which are principally open to our remarks are the offices of procurator-fiscal and sheriff-clerk. We are of opinion that these functionaries, so closely identified with the administration of the law, should be prohibited from doing any professional work or any business for profit other than their proper business respectively, either by themselves, or their partners, deputes, or others, and that this restriction should contemplate functions performed in other counties, as well as the counties in which they hold their appointments. If regulations of this nature should, in some cases, involve the necessity of higher salaries being appropriated to the offices in question,

Concentration of offices.

Recommendation as to procurators-fiscal and sheriff-clerks.

the number of the offices might be reduced by consolidation, but even if the aggregate charge to the Treasury were slightly augmented, it may be hoped that Government would not decline a concession recommended by the interests of justice.

V. DEER FORESTS AND GAME.

The subject of Deer Forests has naturally engaged our attention. Statements have been of late years frequently made, both in the newspapers and by public speakers, to the effect that deer forests are the cause of depopulation in the Highlands, and are productive of injury to the inhabitants that remain. In several of the papers read by witnesses during our inquiry similar expressions have occurred. It is proposed, therefore, to enumerate the principal grounds of complaint, and to comment on each in detail.

It must here be remarked, that while we should have wished to confine this branch of our report to the effect of deer forests upon crofters and cottars, so as to keep within the limits of our reference, this has been found impossible. The social and economical aspects of the question have presented themselves at every turn, and have formed the basis of almost every answer given under examination, even when the original statement of the witness had reference to the effect of forests on the general subject of our inquiry, viz., crofters and cottars.

The principal objections advanced against deer forests, as presented to us, are the following:—

1. That they have been created to a great extent by the eviction or removal of the inhabitants, and have been the cause of depopulation.
2. That land now cleared for deer might be made available for profitable occupation by crofters.
3. That it might at all events be occupied by sheep farmers, and that a great loss of mutton and wool to the nation might thus be avoided.
4. That in some places, where deer forests are contiguous to arable land in the occupation of crofters, damage is done to the crops of the latter by the deer.
5. That deer deteriorate the pasture.
6. That the temporary employment of gillies and others in connection with deer forests has a demoralizing effect.

In regard to the first of these objections, we have to state that we have only found, during the course of our inquiry, one clearly established case in evidence of the removal of crofters for the purpose of adding to an already existing forest, though other cases might be cited of the diminution of crofting area for the same purpose, and on further examination examples of the transfer of families might probably be discovered. In the particular case referred to, eighteen small crofters were removed, the greater part to places in the vicinity of their former holdings, while some few of them went to America. This incident took place about thirty years ago. The existing deer forests, which have been created for the most part within the last thirty years, have been, as far as

made known to us, formed out of large farms by simply removing the sheep and allowing deer, of which there was generally a greater or less number already there, to fill up the ground so vacated. Depopulation, therefore, cannot be directly attributed to deer forests, unless it can be shown that they employ fewer people than sheep farms. As to this not much evidence has been brought before us, but it may be assumed that the following statement accurately represents the true facts of the case. The number of persons permanently employed in connection with deer forests as compared with sheep farms is about the same, the persons employed all the year round being foresters in the one case and shepherds in the other; and in regard to temporary or occasional employment the advantage is in favour of deer forests. The extra labour required on a sheep farm consists of a few assistants at lambing time, a certain number of smearers for six weeks in October and November, and a few additional hands when required for the young sheep while at their winter quarters. Of late years, owing to the low price of wool, dipping has to a great extent taken the place of smearing, and the former operation is carried out by the regular shepherds on the farm. In deer forests, on the other hand, besides the regular foresters or keepers, there are a considerable number of gillies employed for two months every year, and many of these let their ponies for hire, and earn from 6s. to 7s. 6d. per day. They are mostly crofters or crofters' sons residing in the neighbourhood. In some cases not a few of these men are kept during the whole year round working in the forest in various ways—making roads or paths, cutting wood or planting, constructing dykes or fences. These cannot strictly be called permanent servants, yet their labour would not be required if a sheep farmer were to take the place of a sporting tenant.

2. It is said that much of the land now cleared for deer might be made available for profitable occupation by crofters. The evidence on this head is, as might be supposed, very conflicting. Those who pressed the theory most closely brought forward in its support cases where undoubtedly land now under forest had been formerly occupied by crofters, and where crofters might again be located. It may, however, be fairly stated that by far the larger portion of land devoted to deer is to be found at such altitudes, and consists so much of rock, heather, and moor as to be unsuitable for crofters, except as sheilings or summer grazings for cattle and sheep. It is of course true that there are few deer forests where an occasional spot of hard green land might not be found which would be available for a crofter's residence and cultivation; but, looking to the small proportion of arable to pasture land in such places, it may fairly be assumed that almost insuperable difficulties would be offered to the settlement of crofters in these deer forests, as they would find it impossible to defray the expense of purchasing the large sheep stock which the ground is competent to carry, even though they would not in this case be obliged to take over the stock on the ground at a valuation.

3. This brings us to the third objection to deer forests, which is that most commonly employed, and one which affects not only the inhabitants of the Highlands, but the whole community. It is

DEER
FORESTS AND
GAME.

alleged that deer forests might be occupied by sheep farmers, and that a great loss of mutton and wool to the nation might thus be avoided.

We have already recorded our regret that we have been compelled to depart from the strict limits of our reference, and to enter into the economic aspect of this question. We would, however, think it wrong, even when considering it from the point of view of the public interest, to lose sight altogether of the crofter, inasmuch as the welfare of the whole community must, to a great extent, depend on the prosperity of each of the various classes which compose it.

This aspect of the question formed the subject of an inquiry by a Select Committee of the House of Commons, consisting of twenty-one members, in 1872-73, who received, subsequently to their appointment, a special instruction to 'inquire into the laws for the protection of deer in Scotland, with reference to their general bearing upon the interests of the community.' The report on this branch of their inquiry was unanimous, and to the effect that 'the evidence submitted to them did not bear out either of the allegations, that deer forests tended to the depopulation of the country, or that by the displacement of sheep for deer the food supply of the nation has been diminished.' The Committee also reported that at that date, 1873, the number of sheep actually displaced by deer, taking the highest estimate, could not exceed 400,000.

As the question whether the substitution of deer for sheep involves a substantial loss of food to the community or not, turns mainly on the numbers of sheep which are displaced, we thought it desirable to take all possible means of comparing estimates on this subject derived from various sources. It has been found difficult to obtain evidence in favour of sheep farms as against deer forests, in a form of which we could profitably avail ourselves. Most of the statements have been verbal, and these have been of so general a character as to be of little use to us for accurate analysis; and the same may be said of the very few written statements with which we have been favoured. Among the witnesses adverse to deer forests who came before us, only one submitted an estimate of the number of sheep which he thought could be carried by the tracts now occupied by deer; this number he stated at 2,000,000, but in his examination it came out that he was calculating at the rate of $1\frac{1}{4}$ sheep to the acre. This calculation would imply that 1,600,000 acres are under deer. Now it is beyond dispute that no hill land in the Highlands will graze sheep at the rate of $1\frac{1}{4}$ to the acre. We believe that on the best forest land it takes about 4 acres to graze a sheep, and on the worst perhaps 8 acres; but these are both extremes, and over the greater portion of the land devoted to deer forests we believe the average number of acres required to graze a sheep cannot be less than 5. Therefore, correcting this witness's calculation by what is easily ascertained, and will be generally admitted to be fact, it comes out that there are, accepting the area suggested by this witness, 320,000 sheep displaced by deer. Another witness who has entered into the whole question of deer forests with great care and detail, makes out that the number of sheep displaced by deer is 335,900. The Secretary to the Com-

Evidence, p.
3345 *et seq.*

Q. 46192.

mission has prepared, with much zeal and ability, a map showing the position and area of all the deer forests of Scotland, which is likely to prove both useful and interesting. According to his computation the number of acres under forest in Scotland is 1,975,210, which, allowing 5 acres for each sheep, would fix the number of sheep which might be grazed on forest land at 395,000.

DEER
FORESTS AND
GAME.
App. C.

We have thus figures derived from four different sources,—those of the Game Law and Deer Forest Committee; those deduced from the statement of an adverse witness; those of a favourable witness; and those prepared under our own instructions. The Committee gives 400,000, one witness 320,000, another 335,000, while our own estimate is 395,000. It may thus be assumed, in the absence of any contradictory evidence, that the figure 395,000 fairly represents the number of sheep which might be grazed on land now occupied by deer forests. Before calculating the quantity of mutton which would thus annually be lost to the country, further deductions might be made, which would no doubt be legitimate, but which need not be here taken into consideration. Suffice it to say, that as sheep in the Highlands do not come into the market until they are three years old, and making no allowance for losses, there would be an additional annual supply of about 132,000 if all these forests were fully stocked with sheep. It is thus abundantly evident that in view of the sheep in the United Kingdom amounting to 27½ millions, besides all the beef grown at home, and all the beef and mutton imported, both dead and alive, from abroad, the loss to the community is not only insignificant but almost inappreciable, while owing to the large importation of wool from abroad, the additional supply of home-grown wool would be altogether unimportant, if the area now occupied by deer were devoted to sheep.

We have not considered it necessary to introduce here, as a matter for serious consideration, the amount of venison raised on the areas vacated by sheep, though, in the opinion of a competent authority, the weight of meat thus provided amounts to one-fifth of the mutton displaced. The venison is not brought into the general market; but what is not consumed in the family of the sporting tenant, or bestowed elsewhere in the form of presents, is given away among the poorer classes in the country, to whom this gratuitous supply of animal food is of some appreciable benefit.

4. The complaint that arable ground possessed by crofters when in the vicinity of a forest is liable to be ravaged by deer, is one which has been brought several times under our notice. In some cases the proprietor has, when appealed to by the crofters, shown readiness to erect a fence to protect their crops from depredation, or to afford aid in warding off the deer; but in others the small tenant has been left without protection and without assistance, in which case the cultivator is exposed to a double prejudice,—substantial injury and the hardship of night watching. Where the forest from which the deer proceed is adjacent to the crofter, and belongs to the proprietor of the crofter's holding, the remedy, in our opinion, is clear and simple. The proprietor should be bound to erect a sufficient deer fence round the arable land of the township, or the individual crofter's holding, in so far as is requisite for the complete

Evidence,
pp. 34, 1908,
1912, &c., &c

DEER
FORESTS AND
GAME.

protection of the party or parties injured. This fence should be maintained by the proprietor in regard to skilled labour, transport, and purchased materials, the crofters being held to afford unskilled labour on the ground. The case becomes much more complex and difficult to determine when the deer issue not from a forest belonging to the proprietor of the holding injured, or not only from such a forest, but from forests more or less remote,—in fact from the whole neighbouring country. In such a case the question may be asked, On whom is it incumbent to erect the crofter's fence? It may be replied that the claim of the crofter should lie in the first instance against his own proprietor, as the only source from which he can obtain prompt and cheap reparation, leaving it to the proprietor to recover in whole or in part from the other proprietors of lands haunted by deer in the neighbourhood,—a process which might be carried out by a summary assessment of the share of responsibility incumbent on each by the Sheriff acting as arbitrator. This might, however, be deemed difficult to carry into execution, and perhaps hard on the proprietor of the injured holding, who might not only be guiltless of all participation in the injury inflicted, but might himself be exposed to the same injury, and be generally averse to deer and forests and all connected with them. To oblige a proprietor not only to afford defence and satisfaction to a tenant whom he never wronged, but to undertake litigation on behalf of that tenant, would indeed appear the reverse of equitable. If the proprietor, on the other hand, be exonerated, it is equally apparent that a poor crofting tenant would find it onerous to pursue his own case and extort compensation or the performance and maintenance of work from proprietors perhaps remote, and reluctant to adjust their respective liabilities. Under such circumstances the only practical solution might be to grant an inalienable right to the crofter to kill the deer on his arable land when found injuring his crop; and this alternative would be most consistent with the principles embodied in the Ground Game Act of 1881.

5. The question of the comparative deterioration of pasture under deer or sheep is one which has been brought to our notice, and on which the evidence is conflicting. It is contended by some that from the vagrant and desultory habits of deer, as well as from their relatively smaller number, much of the grass remains uncropped, that a wild and rank vegetation springs up, that the surface lapses into a state of nature, and that the neglect of burning and surface draining accelerates this result. It is replied that there is abundant evidence to show that hill ground which has for a long period been pastured by sheep alone also shows unmistakable signs of deterioration—that the surface is in many places overgrown with moss and inferior grasses, and that such land at the present day carries a smaller number of sheep than it did thirty or forty years ago. It is argued by persons who hold the above views that the reason for the present inferiority of the pasture is easily discovered, and that it lies in the continuous exhaustion of the lime and phosphates which are required to build up the frame of the animal, while there is no restoration to the soil of any of its more valuable constituents in the shape of top dressing; and further, that if any manurial value may be attached to the

droppings of either animal on the rough mountain pasture of the Highlands, the advantage ought rather to be credited to the deer than to the sheep. Without expressing a definite opinion on so technical a point, we may remark that if land grazed by deer be deteriorated in consequence of want of burning, that deterioration is obviously of a remediable nature, and it is perhaps the case that the burning of grass of a ranker character than is usually left where sheep form the stock might afford the only practicable mode of conveying to the tops and steep sides of mountains that artificial manure in the shape of ash of which by almost universal consent they stand so much in need. Whatever be the relative merits in this respect of sheep and deer, there is a general concurrence in favour of reverting to an admixture of black cattle as a means of restoring the fertility of the soil.

6. The last complaint in connection with deer forests which we have to notice is the alleged demoralizing effect of sporting employment on the character of the people brought into contact with it. App. A, xciv

Those engaged in deer forests usually begin as gillies and gradually work their way up to the position of underkeepers, some of them eventually becoming head keepers and foresters. When not the sons of old keepers, they are drawn from the crofter class. Gillies are almost entirely small crofters, or the sons of such, and when the work of the shooting season is over they return to their ordinary occupations at home. The men referred to have often the charge of valuable ponies and dogs, they have to rise early in the morning, they are frequently brought into personal intercourse with their employers, and in all respects irregular or intemperate habits are incompatible with the punctual and efficient performance of their special duties. It is possible, on the other hand, that the nature of their avocation and associations may offer them temptations and opportunities of casual indulgence to which they would not be exposed in their domestic life. Much in this matter must depend on the character and position of the employer. When the employer is at the same time proprietor, or when he belongs to the high class of permanent occupiers frequently found on sporting estates in the Highlands, safeguards are secured which may, and no doubt generally do, effectually control the conduct of the subordinate. When, on the other hand, the connection between the sporting tenant and the locality is transitory, or when his personal disposition renders him careless of the morals of his servants, or a bad example to them, the result might be very different. It must be remembered, however, that temptations to dissipation are not tendered to the youth of the Highlands by sporting employments only. They may be found with equal facility and less qualified by wholesome influences in connection with the existence of a sea-faring man, a fisherman, or a casual labourer in the Lowlands,—in fact, in all the other walks of labour and of gain to which the Highlanders betake themselves, and betake themselves with confidence and success. That there is a certain number of persons living loosely on the custom of tourists, anglers, and occasional sportsmen in the Highlands, and thus engaged in pursuits unfavourable to habits of

settled industry, is undoubtedly true; but these people are not attached to forests, and their existence is inseparable from the general attractions of the country.

Having thus dealt with certain objections which have been made to the system of deer foresting, as practised up to the present time, we proceed to review the general question as it affects the conditions of life in the Highlands, and to make such remarks as we think are called for on the evidence which has been submitted to us.

It appears to us that the subject may be summarised in the two following comprehensive questions:—

1. Does the occupation of land as deer forest inflict any hardship or injury upon any class of the community, and if so, upon what class?

2. Does the occupation of land as deer forest produce any profit or benefit to any class of the community, and if so, to what class?

The foregoing portion of this report goes far to cover the first of these two questions. It has been shown that crofters have rarely, at least in recent times, been removed to make or add to deer forests; that comparatively little of the land so occupied could now be profitably cultivated or pastured by small tenants; that no appreciable loss is occasioned to the nation, either in mutton or wool, and that the charge of inducing idle and intemperate habits among the population is not consistent with experience. There remains the class of sheep farmers, of whom it may be said that if they are affected at all it is only in connection with the cost of wintering their hill sheep, and that in this respect deer forests have undoubtedly benefited those who remain by diminishing competition.

We next have to inquire whether deer forests are of substantial benefit to the various classes which compose the community in the Highlands. There can be no doubt that in the case of landowners this is so. If it were otherwise they would clearly not let their land for the purpose. The advantage is especially felt at the present moment, when sheep farms are very difficult to let. The causes which have led to this difficulty may be shortly stated as follows:—The high price of sheep, and the low price of wool, which means that a farmer has to find a larger capital than formerly, while his profits are less; and the great and increasing cost of wintering his young sheep during the five months of the year when they cannot be kept at home. But perhaps the principal deterrent to the man who might be induced to offer for a sheep farm is the uncertainty as to the price which he may be called on to pay for the stock, owing to the prevailing system of valuations, under which there has been a gradual tendency of late years to augment the price far beyond what the practice formerly was, and greatly in excess of the market value of the animal. This is likely to continue until some system is adopted under which the price of sheep stocks shall be fixed by sworn valuers appointed and partly paid for by the county. On the other hand, when the tenant of a large pastoral farm comes to the end of his lease, and

finds exceptionally high prices going for sheep, there is a strong temptation to take advantage of the opportunity and to quit the farm. The proprietor thus finds himself with a large sheep farm thrown on his hands which he does not want, and to enter upon which he has to provide many thousands of pounds, without much prospect of making such profit as will pay him both his rent and a fair interest on his capital. It can hardly be a matter of surprise that in these circumstances he tries to let his land as a deer forest, and secure a good rent, besides relieving himself of what must involve great expense and a heavy responsibility. We believe that if it were not for deer forests, and if the present condition of sheep farms is prolonged, much of the land in the Highlands might be temporarily unoccupied, or occupied on terms ruinous to the proprietor.

It has been shown in evidence that not only does the proprietor derive pecuniary benefit from the system, but that, either through himself or his shooting tenant, substantial advantages have accrued to other classes of persons resident in the district. In the first place, the high rents given for deer forests must have the result of reducing local taxation, and this affects the smallest crofter as well as the largest farmer. If the rental of a parish is £20,000 a year, and £5000 of that is derived from deer forests, of which again £3000 is the excess of value over the same land let as a sheep farm, then it is clear that the net increase of rental owing to deer forests is over 17 per cent., and the expenditure on poor, schools, and roads being stationary, the assessment required to raise these rates would, in the absence of the deer forest rent, be in the same proportion higher upon the remaining ratepayers. The same advantage would of course be secured where the deer forest rent is equalled by a grouse rent added to that paid by the sheep farmer. The material advantage to the inhabitants of such districts does not, however, stop here. We have evidence that a very large expenditure has been effected, both by owners and lessees of deer forests, which would not certainly have been the case in their absence. Especially as regards those who have recently purchased Highland properties, it seems that, while a deer forest formed the chief original attraction, this may subsequently become only an incident in the charm of a Highland residence, and that a great portion of the improvements made by new proprietors has little direct reference to sport. As instances of the latter may be mentioned the erection of houses of a class far superior to mere shooting-lodges, roads, farm buildings, and, above all, plantations, which in some cases are on a very large scale, and which, so far from being immediately dependent on, or connected with, deer, require to be carefully protected from them by 6 foot wire fences. The expenditure directly connected with deer forests occupied by tenants includes bridle paths, shooting-lodges, and keepers' houses, besides a good deal of wire-fencing, sometimes between sheep and deer, and sometimes between one deer forest and another. Taken together, the expenditure is very large. As this fact is so generally known, we did not think it desirable to make a special inquiry into the

DEER
FORESTS AND
GAME,

Evidence, pp.
1803, 2935,
2951.
Evidence,
pp. 2835-36

amount of money spent by owners or lessees of deer forests throughout the country, and we took evidence only from those gentlemen who were otherwise under examination. These were Mr Fowler of Braemore, who stated his expenditure in the district during eighteen years to have been £105,000; Lord Tweedmouth, £50,000; Sir John Ramsden, £180,000. Mr Malcolm gives four instances which have come under his own observation, and which we have reason to believe occurred in his own parish, where the ordinary expenditure during a period ranging from three to seventeen years amounted in the aggregate to £121,209, and for the same periods there was a special expenditure on improvements of £65,876.

These figures speak for themselves, and when contrasted with the amount of money spent in the same districts formerly by the sheep farmer, often a non-resident, or what would be now spent there by the local manager of the same farm, occupied by the proprietor against his will, there is hardly occasion for comment or comparison. One inference, and an important one, is to be drawn from these figures, viz., that a crofting population in the vicinity of these deer forests is chiefly instrumental in the execution of such improvements. Labour such as is required for the purpose could not entirely be imported from a distance, and the system by which most of these works are executed by the working people of the district, at such periods of the year when they are not required for agricultural operations, must prove beneficial both to the employer and the employed. The class of persons who find work in connection with deer forests embraces masons, joiners, plasterers, plumbers, and slaters, with the labourers for each trade; wire-fencers, road-makers, blacksmiths, carriers, besides local shop-keepers and those actually employed during the shooting season as gillies with or without their ponies. It will be thus seen that, contrary to what is probably the popular belief, deer forests in a far greater degree than sheep farms afford employment to the various classes above mentioned, and this consideration forms, in our judgment, the most interesting of all those which have been submitted to us.

It is to be remarked, however, that the formation of deer forests is also calculated to perpetuate in an altered form an evil which has often been submitted to our attention,—the absence of a graduated local representation of the various orders of society. Under the system of pastoral farming on a large scale this defect is deeply felt. The labouring class is represented by the crofter, the cottar, and the shepherd; the large farmer is the absent tenant of an absent landlord. The minister, the doctor, the schoolmaster, and the factor, thinly scattered at great intervals over the forsaken country, are the only representatives of culture, of counsel, and of power. This forlorn feature in the social aspect of some remoter parts of the Highlands is changed, but not much mitigated, by the transfer of the farm to forest. For a brief space in the year the sporting tenant appears at the lodge with company, expenditure, and benefaction in his train; but the area consolidated in a single hand is greater still, the gulf between the labouring

people and the leaders of social life is as wide as ever, the leaders are less concerned in local interests, and intermediate social positions are blotted out.

DEER
FORESTS AND
GAME.

Having said thus much on the origin of existing deer forests, and their effect on the various interests connected with them, and by which they are surrounded, we cannot close this branch of our Report without some reference to the results which might attend an unjustifiable extension of the area thus employed. It has been stated to us in evidence, that most of the land specially adapted by its natural features, and by the habits of the deer, for this purpose, and which can without substantial injustice to other interests be thus applied, is now appropriated, and that the formation of other forests to any great extent is not likely to take place. This may be the case, if we regard the practice of the sport over large areas, with the maximum amount of skill and exertion, such as the best class of stalkers desire to use, but we are not satisfied that, under the temptation of pecuniary inducements, especially at the present time, the afforestation of the country might not be expanded with sufficient opportunities for sport at lower altitudes, on better land, in a better climate, nearer to or within the zone of profitable cultivation and pasture, especially within those limits which might afford a suitable situation for the establishment of small holdings and the extension ofcrofting cultivation. These considerations render it obligatory on us to guard ourselves distinctly against certain inferences which might be deduced from statements and admissions embodied in our preceding remarks. We have considered it our duty to record unequivocally the opinion that the dedication of large areas exclusively to the purposes of sport, as at present practised in the Highlands, does not involve a substantial diminution of food supply to the nation, and we have amply recognised the various benefits which are in many cases associated with the sporting system, where it is exercised in a liberal and judicious spirit. In doing this our design has been to qualify and correct erroneous impressions which are prevalent in many quarters on this subject. We would not, however, have it thought that the views which we have here expressed imply an approval of the present appropriation of land in all cases to unproductive uses, far less an indiscriminating application of additional tracts to a similar purpose in future. The productive areas abroad available for the supply of the British market are so vast, the means of transport have been so much developed, and the powers of purchase and consumption in our populous districts are exerted on so great a scale that, as long as the sea is open, additional and more fruitful lands in our country might still be sterilised without any sensible effect on the quantity or price of provisions accessible to the industrial masses. The soil of a whole county, even of a whole region here, might be laid waste, and the deficit would be promptly covered by the dispatch of grain from Manitoba or California, and of meat from Texas or Australia. The extinction of production in Scotland would involve no appreciable scarcity in Lancashire or London, except in reference to the highest quality of live meat; it would only furnish a stimulus to industry in some

DEER
FORESTS AND
GAME.

foreign state or colonial dependency. Yet who would admit that Scotland should be made a wilderness, even if the inhabitants were provided with better lands and more lucrative occupations elsewhere? No one could contemplate the conversion of the whole extent of good pasture land, and of possible arable land, at a moderate elevation in the Highlands into forest, without alarm and reprobation, and it is scarcely necessary to say that any serious movement towards such an issue would be arrested by the force of public opinion, attended with an amount of irritation much to be deprecated. We do not anticipate with any degree of certainty that the contingency to which we have adverted would arise, but considering the divergency of opinion expressed, the possibility of unfortunate results, and the prevailing excitement in connection with this question, we may well consider whether Your Majesty's Government and Parliament may not contemplate such legislative restrictions as would restrain the progressive and immoderate afforestation of land, and allay the apprehensions which are widely felt upon the subject. Assuming that this suggestion is worthy of being entertained, we trust that we shall not be thought to go beyond the confines of our Commission, in offering, suggestively, some indication of the lines on which legislation might possibly proceed.

It is our opinion that provisions should be framed, under which the crofting class would be protected against any diminution, for the purpose of afforestation, of arable or pasture area now in their possession, and by which the areas which might hereafter form the most appropriate scene for expanding cultivation, and small holdings, should be preserved from curtailment; if this were done the interests of the class for whom we are specially concerned would be effectually secured.

The former object would be secured by a simple stipulation, that no land at present occupied as arable or pasture by tenants in a crofting township, or by separate crofters, should be withdrawn from such occupancy for the purposes of sport, except in exchange for other lands of like value and convenience, and with the free consent of the occupiers. The latter object is more difficult of attainment, but the following alternative suggestions are submitted for discussion.

The appropriation of land to the purposes of deer forest might be prohibited below a prescribed contour line of elevation, so drawn as to mark in a general but effective way the limit of profitable root and cereal cultivation, of artificial pasture, and of pasture adapted for wintering live stock, a line which on the east side of Scotland, in a high latitude, might be approximately fixed at an altitude of 1000 feet above the sea level, and on the western seaboard at a lower level than 1000 feet, making allowance locally for the convenience of the march. The advantage attached to this system would be, that the area of land which could possibly be devoted to sport alone would be circumscribed once for all, and all indefinite apprehensions, whether on the part of the farmer, the crofter, or the public at large, would be set at rest. The disadvantages attached to the hard and fast boundary would on the other

hand be that the line might in some cases include for the purposes of sport exceptional spots available for profitable use, and might in others, especially on the west coast, exclude rugged and precipitous tracts, extending to the very verge of the salt water, of little use to the crofter or farmer from situation or quality, but yet well suited for deer.

The alternative method would be, that in each particular case in which the proprietor desired to withdraw land from agricultural or pastoral occupancy, and deliver it over to deer, the area should be subjected to the inspection of a government officer, and that those portions of it which were adapted for crofting cultivation, for small tenancy, or generally for cultivation or wintering sheep, should be reserved, leaving the residue which was only available for summer pasture to be appropriated at the discretion of the proprietor.

It might be also prescribed that in the case of the formation of a new forest, or of the addition of new land to an existing forest at whatever elevation, the proprietor should be bound to expend a certain sum, say not less than three years' agricultural rental of the area so applied, in forming plantations or in the construction of buildings, fences, roads, and other permanent works. By some such provision, additional occupation would be provided for the crofting population; while in the case of plantations the country would be embellished, valuable shelter would be created, and a useful element attached to land otherwise devoted to sport.

We think that in the case of lands exclusively devoted to the use of deer, not let or proposed to be let to a sporting tenant, but reserved intentionally for the enjoyment of the proprietor, the latter should be assessed on the basis of the sporting rent, and not on the basis of the agricultural value as is at present the case. This change has already been recommended by the Commissioners of Supply in the counties of Ross and Caithness, at their annual meeting last April.

We have not thought it desirable to introduce among the expedients offered for consideration a proposal frequently submitted to us, viz., that a special rate of assessment should be imposed on the annual value of lands used for the purposes of deer-stalking alone. Our object is to control the abuse of their practice in a discriminating manner—not to punish or impoverish the landlord. We do not think that any additional percentage of assessment which the Legislature would be likely to sanction would go far to prevent afforestation, though it might raise the rent to the lessee, and diminish the return to the proprietor, while it would act indiscriminately in all cases, whether the appropriation of the land was harmless or injurious. The taxation of land, with reference to the purpose for which it is employed, would, moreover, be a novel principle in our fiscal legislation, which, on close examination, would probably not be found to be acceptable to Parliament, in harmony with true economical principles, or equitable, if we regard the conditions under which other kinds of property and sources of private income may be used or abused.

The preceding remarks are not intended to apply to existing forests. We would not think it equitable that these areas should

DEER
FORESTS AND
GAME.

be subjected to exceptional legislation, other than that which may be made applicable to agricultural or pastoral lands, even at the termination of current leases. Existing forests have been cleared of sheep, consolidated, arranged for a specific use, and furnished with appropriate buildings, roads, fences, and other ameliorations, often at considerable expense, under the sanction of existing laws. Valuable interests have thus grown up, which could not be set aside without imposing on the proprietor greater sacrifices than he could be justly required to undergo.

Evidence,
pp. 240, 253,
&c., &c.

Not many complaints on the subject of game have reached us during the course of our inquiry, and these were for the most part, though not entirely, confined to the eastern side of the country, where, from the nature of the climate and the greater amount of cover and cultivation, game is more plentiful. Two points in relation to this question require our attention,—the ravages of ground game, and the mischief done to corn in stook by flying game. Referring to the loss inflicted by hares and rabbits, there appears to be some ignorance prevailing among the small tenants as to the tenor and intention of the late Act, and an impression in certain places that they cannot safely exercise their statutory rights, with regard to the destruction of ground game on their holdings, for fear of incurring the displeasure of the landlord. Nor can we affirm that this impression is entirely without foundation. We have, indeed, met with no instance in which a tenant has been disturbed on account of exerting his lawful powers, but we have met with two factors, who when interrogated on the subject, were not able to state unequivocally that tenants were at perfect liberty to act as they pleased in this respect, without any fear of bad consequences ensuing. It is very desirable that proprietors should make it clearly known to the small tenants at will, who are imperfectly informed, and in a precarious position, that they can freely and safely use their rights in the destruction of ground game. The complaint that grouse and black game, especially in late seasons, and on farms contiguous to the moors, are destructive to the crop by spoiling and devouring the grain in stook, is familiar to proprietors. The damage prevails chiefly in the eastern and inland portion of the Highlands. The prejudice to the small tenant is felt not only in the waste of crop but in the necessity for night watching to scare the birds. From this prejudice, though it be exceptional and partial, we would gladly see the crofter relieved. There seems to be no reason why, in cases of injury or destruction of crop, compensation should not be awarded to the sufferer in a manner more summary than has hitherto been used, by means of valuation made on the spot by two arbiters, with an oversman to be appointed by the Sheriff, whose decision should be final as to the amount in which the adjacent proprietor is liable.

Evidence, pp.
471, 1501

VI. EMIGRATION.

The last of the remedial measures we have proposed for the present condition of the Highlands and Islands is the encouragement of emigration, but it is principally in the Northern Hebrides, and to some extent on the adjacent coasts of Ross, and perhaps even of Sutherland, that we think it should be resorted to. The destitution which called for public charity last spring was in the main limited to those districts, and there too, more emphatically than elsewhere, the crofters' complaints turned on the smallness of their holdings. No doubt, extraneous relief was also given last year in Glenelg and in some parishes of the Southern Hebrides, but there is reason to hope that in these last the great evil of too small holdings is being gradually extinguished, and on the coast of Inverness-shire it might be questioned whether overcrowding is due to an actual want of land in the neighbourhood. Our remarks then on emigration will relate to the districts we have named, in reference to which the subjoined table gives an abstract of the census from the earliest return by Dr Webster * in 1755 down to that of 1881.

Abstract of the Census Returns for 1755-1881 for Skye, the Long Island, and the Western Parishes of Ross and Sutherland.

DISTRICT.	POPULATION.										
	1755.	1791.	1801.	1811.	1821.	1831.	1841.	1851.	1861.	1871.	1881.
Skye, Lewis (or the Ross-shire division of the Long Island), Harris, Uist, &c. (the Inverness-shire part of the Long Island).	11,252	14,470	15,788	17,029	20,827	22,796	23,082	22,532	19,748	18,161	17,797
Western Mainland of Ross, Western Mainland of Sutherland,	6,386	8,371	9,168	10,092	12,231	14,541	17,037	19,694	21,056	23,483	25,487
...	7,237	10,808	12,526	14,371	17,221	17,490	18,553	16,274	15,353	15,973	17,317
...	7,682	11,557	11,398	14,111	18,070	18,476	19,010	18,351	18,235	17,088	15,642
...	...	5,206	4,856	4,781	5,036	6,279	5,986	5,717	5,928	5,583	5,298
...	...	50,422	53,736	60,384	73,385	79,582	83,668	82,568	80,320	80,280	81,536

It has been repeatedly stated in the evidence that there is no need for emigration, as there is plenty of land in the Highlands and Islands for all the people they contain, were it only divided among them. Even if this were so, it is clear that such a division would involve the exclusion of the whole wealthy and wage-paying class, a result which no one acquainted with the Highlands could contemplate without concern. But those who thus hold emigration to be unnecessary, have not, we think, given sufficient attention to the statistics bearing on the subject. The following table (A) shows the population, rental, and acreage of all the parishes in Skye and the Long Island, and the rental and acreage per head in those parishes respectively. The population and the acreage are

* Dr Alexander Webster, minister of the Tolbooth, Edinburgh, who in 1755 drew up an account of the people of Scotland for the information of Government; this was the first time they were systematically enumerated.

EMIGRATION.

taken from the census returns of 1881, and the rental from the County Valuation Rolls of 1883-84; the figures thus obtained may be accepted as sufficient for practical purposes, but to ensure thorough accuracy they should be subjected to an analysis which we have not in all cases had the means of making. The census

A.

Population, Rental, and Acreage of the Northern Hebrides, taken from the Census Returns and the County Valuation Roll.

PARISHES.	Population.	Rental		Acreage		
		of Parish.	per Head.	of Parish.	per Head.	
		£	s. d.	s. d.		
Barvas,	5,325	3,215	17 0	12 1	89,654	16 83
Stornoway,	10,389	14,490	9 7	27 10½	67,652	6 51
Lochs,	6,284	4,159	11 6	13 2½	144,444	22 98
Uig,	3,489	5,071	5 0	29 0½	135,471	38 85
	25,487	26,937	3 1	21 1½	437,221	17 15
Harris,	4,814	6,231	6 4	25 10½	123,757	25 70
North Uist,	4,264	5,482	19 10	25 8½	75,431	17 69
South Uist,	6,078	6,739	14 1	22 2	90,099	14 82
Barra,	2,161	2,425	0 8	22 5½	22,212	10 27
	17,317	20,879	0 11	24 1½	311,499	17 98
Bracadale,	929	6,965	6 2	149 11½	93,140	100 25
Duirinish,	4,319	7,473	17 10	34 7¼	80,041	18 53
Kilmuir,	2,562	5,988	19 4	46 9	34,225	13 36
Portree,	3,191	8,406	8 6	52 8½	56,909	17 83
Sleat,	2,060	4,452	16 11	43 2½	39,959	19 39
Snizort,	2,120	5,418	8 5	51 1½	53,280	25 13
Strath,	2,616	5,538	4 8	42 4	71,411	27 29
	17,797	44,244	1 10	49 8½	428,965	24 10
The Long Island— North Division— Lewis,	25,487	26,937	3 1	—	437,221	—
South Division— Harris, Uist, &c.,	17,317	20,879	0 11	—	311,499	—
Together,	42,804	47,816	4 0	22 4	748,720	17 46
Skye,	17,797	44,244	1 10	49 8½	428,965	24 10
	60,601	92,060	5 10	30 4½	1,177,685	19 43

Note.—The number of families is 12,073, which gives 5·02 persons to each family.

was taken when many of the able-bodied young men were away from home. In Lewis, four hundred militiamen were absent, it is said, at the time. The rentals include shootings and house property. Of the valuation of Lewis (entered at £26,937, 3s. 1d., including house-property in Stornoway, Glebes, Manses, &c.), only £18,163,

5s. 8d. relates to the property of Lady Matheson,—the sole land-owner in the island,—and it appears in evidence that but £12,713, 4s. 10d. of this is properly land rental. The acreage of the four Lewis parishes includes foreshores and water; what proportion of the area of each parish these occupy we have not ascertained, but the area of the whole island, exclusive of foreshores and water, is 32,745 acres less than the extent stated in the census return. On the other hand, it may be contended that the population of the trading town of Stornoway, amounting to 2693, is wrongly included in a table dealing with a land question. If effect be given to this contention, and allowance made for the absent militiamen, the population of the rural part of Lewis may be taken at 23,000, and dividing the corrected acreage and rental above given over this number, the result is 17·58 acres, and a rental of 11s. 0½d. per head for Lewis. It will be observed that the acreage per head is not very different from the figures in the table.

The next table (B) gives the same statistics for the opposite mainland coasts of Ross and Sutherland; but the district here included contains so much larger a proportion of ground of high elevation, remote from lands suitable for habitation, that the same inferences cannot safely be drawn from this table as from the first. For this reason it will be more convenient to confine to the islands our present investigation of how far the land is sufficient for the maintenance of the people.

B.

Population, Rental, and Acreage of the Western Mainland Parishes of Sutherland and Ross, taken from the Census Returns and the County Valuation Roll.

PARISHES.	Population.	Rental				Acreage	
		of Parish.		per Head.		of Parish.	per Head.
		£	s.	d.	s.	d.	
Durness, .	987	5,948	8	0	120	6½	140,812
Eddrachilles, .	1,525	4,979	4	11	65	3½	135,555
Assynt, .	2,781	5,845	1	9	42	0½	110,111
Loch Broom, .	4,191	15,250	18	3	72	9¼	261,021
Gairloch, .	4,594	11,513	2	10	50	1½	200,646
Applecross, .	2,239	4,079	14	0	36	5½	112,895
Lochcarron, .	1,456	5,679	19	7	78	0¼	81,488
Lochalsh, .	2,050	5,850	16	9	57	1	49,532
Kintail, .	688	5,954	15	4	173	1½	77,441
Glenshiel, .	424	4,526	14	0	218	3	57,320
	20,935	69,628	15	5	66	6	1,226,821
							58·60

Whatever may be the merits or defects of the crofting system as pursued in the Highlands and Islands, it may be assumed that, for some time at least, it will continue in operation, and therefore in the course of this inquiry it became proper to ascertain what, in the opinion of the ordinary crofter, would be for him a comfortable

EMIGRATION. holding. There was some difficulty in arriving at a just conclusion on this point, from the fact that every one, whatever the extent of his occupancy, professed to need more than he had. For instance, Samuel Nicolson of Skerrinish in Skye, a cottar without land, seemed only to desire such a piece of ground as the crofters about him complained of as insufficient; Donald M'Donald of Torlum in Benbecula, said if he had two crofts instead of one he would not be so badly off, but at the same time he admitted that a neighbour who had four of these same crofts complained he could not make a living; and William M'Crimmon of Bernera, Glenelg, speaking for crofters who were in possession of such a stock as was aimed at by the people of the Northern Hebrides, and who paid a rent of £16 each, said they wanted small farms of from £30 to £40 rent. Instances of this sort abound in the evidence. Whatever a man's position was, he had a laudable ambition to improve it; and therefore to arrive at any satisfactory conclusion on this point, the evidence of crofters' whose holdings are of exceptional size must to some extent be disregarded.

The real desire of these people seems to have been fairly put by Malcolm M'Innes of Tighary, North Uist, who says, 'the very thing we want is to live as farmers on a farm where we could make a living out of our crofts by our labour;' *i.e.*, they want to be able to earn a living on their own land without having to leave home to seek employment for wages. It was stated in evidence in Skye, that the minimum size of a croft which would enable them to do this would be one having enough cultivated land to support a family, with pasture for four or five cows and fifty to a hundred sheep. In Uist, the estimate was as much arable land as would supply a family with food, and pasture for six cows, two horses, and forty to fifty sheep; and in Lewis, from six to ten acres of arable land, from six to ten head of cattle, and from forty to fifty sheep. These estimates do not materially differ. In counting the value of grazing for stock, a cow is usually held equivalent to five sheep, two young cattle to a cow, and a horse to two cows. The above estimates of requisite pasture reduced to sheep's grazing would thus be:—

In Skye,	.	.	.	from 70 to 125 sheep.
In Uist,	.	.	.	„ 90 to 100 „
In Lewis,	.	.	.	„ 70 to 100 „

230 to 325

230

making the average estimate . . . 6)555

of requisite pasture equal to the grazing of 92½ sheep.

The extent of land required for a sheep's grass in the mountain pastures of the north varies from three to six acres. In the Northern Hebrides, and on the adjacent parts of the mainland, the grazing cannot certainly be said to be above average quality, and though parts of Skye may be classed as superior, much of the Long Island is so poor that over the whole islands it is safe to say

not less than $4\frac{1}{2}$ acres would be necessary for each sheep. But as this calculation refers to the sheep of the large farmer, it must be modified for those of the crofter, which are generally of inferior size, and from figures before us we think not more than three acres of pasture apiece should be allowed for them. If the average crofter were to keep stock equivalent to $92\frac{1}{2}$ sheep, he would thus require $277\frac{1}{2}$ acres of pasture land. He would also need nine or ten acres of arable ground, or 287 acres in all. The average number of persons per family in Skye and the Long Island is 5.02: hence, taking the people's own view of what is essential for the maintenance of a family in comfort, over fifty-seven acres per head are necessary. It has to be borne in mind that the country is naturally adapted mainly for pastoral farming, and it is for this reason that the land in the Islands and Highlands is so little suited to support a large number of inhabitants. Many persons would consider that a population of crofters having no more land or stock than is above described would not be in a safe position. Few will deem that a wholesome state of rural society where only holdings on a uniformly low scale are to be found, or will think that twice the extent per head above indicated would be too high an average to admit of the gradation in the size of farms which is everywhere desirable; but with the single exception of Bracadale, there is not a parish in Skye or the Long Island where the relation of acreage to population approaches this figure, while the average number of acres per head over all these islands is only 19.43. The people's views are naturally founded on imperfect knowledge of the actual capacity of the land to realise their aspirations, and when their wishes are brought to the test of figures, it becomes evident that in Skye and the Long Island they could not be satisfied even by dividing among them the large farms and forests. We believe that a condition in some degree similar exists on certain parts of the mainland, though, from the fact already mentioned, it is not so easy to show it in figures.

It may possibly be replied that the Hebrideans do not rely solely on farming, that they are to a large extent fishermen and take their living out of the sea. The fisheries have been dealt with in another part of this report. We need only point out here that if half the population were to give up all share in the land there would be barely thirty-nine acres apiece for the remainder, instead of the average of fifty-seven requisite to furnish all with the substantial croft to which they aspire; and after making every allowance for the number of people who may be expected to derive the whole or the greater portion of their livelihood from the sea, we are of opinion that a resort to emigration is unavoidable. Were trade more flourishing, a movement to the great seats of industry might provide a natural outlet for the surplus population, but our overcrowded towns are themselves crying out for State-aided or State-directed emigration, and while individuals may still find openings in them, no great stream of migration can at present with advantage flow towards our industrial centres.

It will be found in the evidence that while the upper and middle classes resident in the crowded districts generally refer to emigration as the true solution of the crofter question, the crofters

EMIGRATION. themselves express aversion to it. Now, emigration from the Highlands and Islands, mainly consequent on want of employment at home, has been more or less continuous for the last hundred and fifty years. A writer* in 1747 calculated that the population of the Highlands and Islands (including Orkney and Shetland) was 230,000, and that there was 'not business for more than half that number,' and during the remainder of the century that 'business' was in some ways being diminished, as a consolidation of farms was constantly going on. Some of the original settlers in Georgia in 1733 were Highlanders.† The Highland settlement in North Carolina dates from about the same time, and there is evidence of Highland emigrants having been in Virginia at an earlier date. In the third quarter of the century, emigration proceeded with great rapidity. Dr Johnson describes it in 1773 as 'a fever of emigration.' In the three years preceding the outbreak of the American War of Independence, 30,000 persons from different parts of the Highlands are said, by Dr Garnett,‡ to have crossed the Atlantic.

App. A. xc.
p. 420.

The year 1782-83, which saw the close of the war, was one of extraordinary scarcity in the Highlands. In the appendix will be found some remarkable resolutions passed in 1783 in Easter Ross (then cultivated on the old Highland system) which pourtray vividly the destitution of the time. The pressure of circumstances naturally drove the people again to resume emigration, and by the end of the century it had reached such proportions, and was esteemed so momentous, that the Highland Society, in their report for the years 1799-1803, treat as the most important of their proceedings those relating to emigration, 'which at this time began to revive with a spirit more universal and determined than at any previous period.' It is evident then that the repugnance to emigration which has been expressed by Highlanders to-day, is due to a fluctuation of opinion, and is not to be ascribed to an ineradicable sentiment.

Evidence.
Q. 41265-
41267.

The crofters give two reasons for their present attitude—first, that those who go abroad encounter serious risks, and have continuous difficulties to contend with there; and secondly, that while emigration has always been spoken of as a panacea for the ills of those that remain, it has ever left them just as they were. Probably it is not without some toil and hardship at the outset that an emigrant can make a position for himself in the colonies, but the reward may be said to be sure. In his evidence at Inverness, Mr Alexander Mackenzie, editor of the *Celtic Magazine*, stated that he had visited all the Highland settlements of any note in Canada, and found their condition very satisfactory, and that those who had emigrated in recent years had only themselves to blame if they were not very prosperous; and in an article published in his magazine in November 1879, writing from Canada, he said: 'I have taken considerable pains to find out

* Gartmore MS., published in Appendix to 5th edition of *Burt's Letters from the North of Scotland*.

† *Transactions of the Historical Society of Georgia*.

‡ Quoted from John Knox, *Tour through the Highlands*, 1786. London, 1787, p. xc.

'the feeling here among those who came out themselves, as well as among their descendants, and I cannot recall a single instance in which any of them who have settled down here on their own lands would wish to go back and live in the 'Highlands.' Highland emigrants have been equally successful in Australia; and the first of the crofter's objections may fairly be set aside as insufficient. But it is quite true that the residuary population has in the past received little benefit from the emigrations that have taken place. When lands have been vacated during the present century, it has generally been after a time of distress. Proprietors had been put to expense in meeting the destitution, and had come to dread an extension of the crofter population, which seemed to them 'always augmenting and 'always trenching on the verge of redundance,' and they usually made consolidated farms of the vacated land. Where the crofters had the capital to put this land to a profitable use, it was doubtless a mistaken policy not to give it to them, and in any case it would have been desirable to have made some greater effort to improve their condition than was done. The crofters have perhaps reason to complain of neglect; and in the case of future emigration the policy of the past would have to be reconsidered. We are inclined to think, however, that the prevailing land agitation has not been without considerable influence in prompting the expressed dislike to emigration, and we hope that when overpopulation is clearly shown under any distribution of the land that could take place, and when the people are satisfied that the interests of those who remain at home will be cared for, their aversion to emigration will disappear.

Emigration offers few difficulties to the young and able-bodied, but it is obvious that it can be no benefit to a country to lose its workers alone, and that it is only by the removal of entire families that any serviceable relief from congestion will be experienced. Comparatively few, however, of the crofters in the districts under consideration are likely to have the means of moving their families to a new home across the seas, and of starting themselves there with something approaching a certainty of success, nor can much direct assistance be expected from the proprietors of these impoverished parts.

We are well aware that objections may be made to an appeal to the Government for help. There is a tendency at the present time to draw on public funds to enable things to be done which ought to result from spontaneous exertion; and it has been pertinently enough asked whether perpetually increasing drafts should be made on the hard-won earnings of the provident, in order, in too many cases, to help the improvident. The interference too of the State in emigration as in other departments of social life, naturally tends to weaken self-reliance, and to substitute for it a habit of dependence on some one else. But this objection applies equally to the intervention of proprietors or of local authorities of any kind, and if it is to the advantage of the community that a redundant population should be removed, and if its members have not the means and cannot procure the private assistance necessary to enable them to leave, one of those excep-

EMIGRATION. tional cases seems to have been made out which have from time to time been held to justify State aid. On such grounds the Irish Arrears Act of 1882 and the Tramways Act of 1883, have authorised the Government to assist emigration from Ireland, and for like reasons the Act of 14 & 15 Vict. cap. 91 (1851), offered loans for promoting emigration from the Highlands and Islands of Scotland, it being at that time considered that the distress there ' would ' be most effectually relieved by affording facilities for the voluntary ' emigration of a portion of the population of those districts.'* We are of opinion that the need of emigration now is in some districts as urgent as it was in 1851, that this need must shortly bring about the desire for it, and that without making any drafts on the public revenue, beyond the cost of establishing an Emigration Agency, in connection with a Scottish Government Department, and without infringing economic principles, the State might give most valuable assistance to intending emigrants, and ought to do so where localities are overcrowded.

It would usually be very imprudent for a family in poor circumstances to attempt emigration without previous arrangements having been made for them in the colony to which they are proceeding. Single men and women have little or no difficulty in finding remunerative employment, and, should the work be but casual or the pay small, they have only themselves to support. It is very different with a family. The chance of obtaining employment is in this case more uncertain, while the necessity for constant wages is more absolute. There seem to be only two ways in which previous provision in the colonies can be made for emigrant families; either contracts may be entered into with employers of labour to receive them for a certain time, or they may be settled on homesteads where by labour on their own land they can produce the means of subsistence, provision being made for their maintenance till the first crop is harvested.

We are uncertain how far the first of these systems is capable of extensive application. At present free passages are given to nominees of colonists in some of Your Majesty's Australian dependencies (presumably in return for a corresponding obligation); and the Canadian Act of 35 Vict. cap. 28, recognises engagements by emigrants, in consideration of money advanced, to enter the service of an employer in Canada on their arrival there, and makes the breach of such engagements punishable. If a family can pay for their own passage, the arrangement under which employment might be found for them on their arrival would not bind them to retain it longer than it suited them; but if the head of the family should be destitute of means there can be no objection to his being bound to serve a certain employer till the cost of the passage has been repaid, provided the engagement is voluntarily entered into after its terms have been fully explained, and is afterwards fairly carried out. This could be secured if there

* The loans for emigration under this Act were authorised to be made out of sums provided under the Lands Improvement Acts; and it appears from a communication from the Treasury that the amount applied for and sanctioned for emigration purposes was £15,544, 17s. 10d., but that of this sum there was only actually advanced £5249, 11s. On the 30th November 1883, there was still a balance of £5343 available for emigration.

were a Government Emigration Agency where a register was kept in which colonial employers and intending emigrants could record their respective wants. Applications by employers for the services of a labouring family might be lodged along with security for repayment of any advance required for the cost of emigration; and to ensure the validity of the security, this should be done through the Colonial Government, which might even undertake to recover the sum secured. The Scottish Emigration Agency should frame a deed of obligation equitable both to emigrants and employers, and, when parties were suited, see it formally executed; while by arrangement with the Colonial Governments provision might be made under legislative enactment to ensure the proper fulfilment of these obligations. The transfer of labour from the mother country to the colonies thus conducted might be beneficial to both; and if the cost should have in the first instance to be advanced by the Imperial Government, its repayment would be guaranteed. Under the local supervision of the Colonial Government it would not be possible for the employer to infringe the terms of the contract, and the emigrant would have no reason to complain of a temporary restraint on the free exercise of his labour consequent on an engagement entered into with his free consent. The term during which such an engagement would endure would probably be one of not less than twelve months, but should it exceed this period, we think the emigrant ought to be entitled to enfranchise himself after a year's service, on repaying the amount for which the employer had rendered himself liable, and which had not already been deducted from the servant's wages.

If emigration could be carried on to any extent on such a system, it would probably be the best form that could be adopted by a working man's family possessed of no capital except their labour. But with a very small amount of capital, and help from temporary advances to the extent of perhaps £100, repayment of which could be safely secured, families might be advantageously settled on the homestead allotments of 160 acres in the North-West Territory, of which free grants are made by the Canadian Government. An experiment of this sort was tried last year by Lady Gordon-Cathcart, and an account of its cost is given at page 770 of the evidence. In this case, seven emigrant families possessed an average capital of £107, 15s. 1½d., and received a loan of £100 each besides. So far as these emigrants are concerned, the experiment up to this time seems to have been quite successful. But in the districts whence emigration is most required the crofter in average circumstances who is free of debt and able to assist himself will probably not have more than £40 or £50 of his own to start with, while it might not be desirable that he should encumber himself with a greater burden of debt than £100, even if a larger loan were available.

We have made minute inquiry in various quarters, from those best entitled to speak on the subject, as to what is the least amount of capital with which it would be advisable for a Highland crofter to emigrate as a settler in the North-West Territory. We have been informed that while many have done well who started there with not more than £20, a man with a family should not be

(See also
App. A, xxxii.
p. 125)

EMIGRATION.

recommended to attempt it with less than £100 or £120 at his disposal after reaching his destination; but that a Highland crofter would be safe in commencing with this sum were sufficient care taken beforehand in selecting the ground for him, and in providing him economically with the necessary frame-house and stores. The cost of the journey from this country to Manitoba is usually reckoned at about £30 for a family of average size; it may thus be assumed that with £150 at his command, a crofter, physically fitted for it, might safely undertake to settle there with his family if only the Government Emigration Agency could provide the pre-arranged local guidance, which is on all hands described as being a most important element of success. Since the conclusion of the active part of our inquiry, communications have reached us throwing doubt on the sufficiency of this estimate for the more distant and inaccessible parts of the North-West Territory. It may have to be revised as emigration proceeds westward; but it would be one of the special duties of the Scottish Government Emigration Agency to ascertain and to make known what means were indispensable to the successful settlement of an emigrant family.

The Canadian Land Companies, who last year offered to settle in Manitoba 10,000 emigrant families from Ireland for an advance of £1,000,000, calculated that the profits of farming there were such that within ten years a settler could repay (with interest at 6 per cent. after the second year) a loan of £100. Others who have communicated with us take a more sanguine view, and think the debt might be paid off in five years. The Canadian Legislature have allowed homestead quarter sections of 160 acres to be mortgaged to the extent of £100, and as the value of these lands increases as the adjacent country becomes settled, a mortgage of that amount should be a safe one. It would seem therefore that of the £150 necessary for a settler's family, £100 might be borrowed money if it could be obtained on reasonable terms.

Objections have been raised to the climate of these provinces, and though we are not inclined to lay undue weight on them, we have thought it right, as an alternative, to enter into communication with the agents in this country of Your Majesty's colonial dependencies in the Southern Hemisphere, in order to ascertain whether there was a likelihood that a similar system of settlement could be carried out in any of them. We stated that it would be essential to the success of such a scheme as we contemplated—(1) that each family should at once find means of subsistence on the homestead from the day of its arrival; (2) that the cost of preparing the homestead and removing the family to it from this country should not exceed what it might reasonably be expected the family could repay in eight or ten years; and (3) that the Colonial Government should take an interest in the success of the scheme, make provision for the immigrants on their arrival, see them established and undertake to recover from them repayment of any advances made by the Imperial Government.

There has not been time to receive definitive answers to these communications, which it has generally been necessary to refer to the Colonial Governments. The cost of the unassisted passage to the Australian colonies is considerably greater than to the North-

West Territory, and the Australian Governments are not so liberal as that of the Dominion in giving free grants of land. On the other hand, the cost to emigrants of the assisted passage to some of the Australian colonies is less than to Manitoba. EMIGRATION.

We have learned that the Government of the Cape of Good Hope has had it under consideration to make proposals for forming an agricultural settlement of Skye crofters in that colony with the assistance of the Imperial Government, but the details of the project (if it has been formulated) have not reached us, and our own communication on the subject has been referred to the Cape.

Our consideration of this question of family emigration from the overcrowded districts of the Highlands has led us to recognise the very great advantage there would be in promoting it by means of State loans under the direct control of a separate Government agency for Scotland. This agency could also negotiate with the Colonial Governments for the care and reception of immigrant families, for their establishment in the colony in some pre-arranged capacity, and for the recovery of moneys advanced. The overcrowded localities where State aid is to be given to emigration might be scheduled by the Board of Supervision which for the present is practically the Local Government Board for Scotland.

The rules under which State advances might be granted would be framed by the Scottish Agency for Emigration, with the sanction of the Treasury. When an emigrant could deposit £50 or more, the loan might be of sufficient amount to enable him to venture on land as a settler; but where he desired to emigrate under a contract to labour for an employer in the colonies, and that employer obtained from the Colonial or Imperial Government assistance for the transport of the emigrant, the amount advanced should be limited to the actual cost of outfit and passage-money, and should be repayable by the employer within a specified time. And as the object of relieving the over-crowding is to assist those at home as much as those who go abroad, we suggest that it should be made a condition of granting an advance to a crofter desiring to emigrate, that the landlord should undertake in all cases where practicable to utilise his vacated croft, if rented at less than four pounds, for the purpose of enlarging other crofters' holdings, and should be bound to accept and pay for his stock at valuation, so as to enable him to realise at the time of year most suitable for embarkation.

The advantages of State direction which the Government Agency would confer should not be limited to emigrants requiring aid in the way of advances. Strangers in the colonies, without local guidance, waste both time and means in the selection of land and the search for employment, and, ignorant how to supply the requirements of their new position, they frequently make needless sacrifice of their small capital in providing for their earlier wants.

The State agency, if fitly equipped at home and abroad, could make arrangements beforehand which would save the crofter emigrants from these sources of loss.

We think it important that assisted emigration should be placed under the immediate direction of officers of the Imperial Government rather than under the control of local authorities.

EMIGRATION. It would be the interest of the latter to shift poverty from their own locality, irrespective of the prospects of the poor who were removed, and almost inevitably this interest would to a greater or less extent prejudice the careful selection of emigrants. If emigration by families is to be conducted successfully, the proportion of dependants to bread-winners in the emigrant family must not be lost sight of. A family that could advantageously remove to one of the colonies in two or three years time might attempt it very unsuccessfully to-day; and it is only with careful discrimination that State aid should be granted, or the system will be brought into discredit. But believing as we do that emigration properly conducted is an indispensable remedy for the condition of some parts of the Highlands and Islands, we strongly recommend that in connection with any measures which may be framed for improving the position of the crofters and cottars, such provision should be made as we have indicated for assisting emigrants both by State advances and State direction.

Conclusion

In concluding this Report, it is desirable to anticipate an objection to our recommendations, based upon general principles of public policy, which might be urged on the part of that school of economists, who, in dealing with social distresses, prefer to contemplate the operation of natural causes and tendencies, rather than the action of artificial remedies. It may be asked, on what grounds do we justify a complex system of interference on behalf of a class in the community which is not numerous, which does not contribute a preponderant share to the aggregate sum of national wealth, and which does, after all that has been said, possess, in ordinary times, conditions of welfare and happiness unknown to some other orders of the people, for instance, to the poorer sort of rural day labourers in England, or to those who depend on casual employment in great cities? If the Highland crofter, it may be said, can maintain his footing under the laws affecting landed property, common to the whole country, and against the forces which contemporary science and commerce bring to bear upon his situation, let him do so; if not, do not prop up his position by curious expedients, which may merely prolong his decay, and prevent the timely transfer of his powers to more congenial scenes and means of labour and subsistence. The small tenancies of the Highlands would not be the only interest abandoned to irresistible innovations. The hand-loom of the cottage, the sailing craft along the shore, the yeoman's freehold, are gone, or doomed to disappear. It is perhaps in the same order of necessity that the crofter should be extinguished.

To these objections we would thus reply:—

The crofters and cottars with whom we are here concerned are, in truth, of no great significance in respect to mere numbers. All told, they probably do not comprise more than 40,000 families or 200,000 souls, the population of a single manufacturing town of the first class. They do, however, possess in their occupations and capabilities certain distinctive features which, in the opinion of many, entitle them to such exceptional attention and protection as has been granted to other special interests. These people take

a considerable part in the fishing industry, a branch of national production, not of the first magnitude, but still of material value, and which should not be allowed to pass into other hands. This industry has hitherto depended more on the hardy breeding, hereditary aptitudes, and spontaneous association of the common people acting with the help of local traders, and less on the direction and support of the large capitalist, than any other department of labour and traffic in the country. It is susceptible of more perfect organisation and of immense extension, but these developments must be the results of time, study, intelligent direction, and financial aid. Meanwhile, the dispersion of the fishing population, the indispensable instruments of the craft, would be a loss that could scarcely be repaired. It would be difficult to replace them by another race of equal ability and worth.

It is not only in regard to fishing that the crofting and cottar population have a peculiar value. They constitute a natural basis for the naval defence of the country, a sort of defence which cannot be extemporised, and the value of which, in possible emergencies, can hardly be overrated. The seafaring people of the Highlands and Islands contribute at this moment 4431 men to the Royal Naval Reserve, a number equivalent to the crews of seven armoured war steamers of the first class, and which with commensurate inducements could be greatly increased. It may be added, that most of the men incorporated in the corps of militia and volunteers would be able to serve ashore and afloat with equal efficiency.

The severance of the labouring classes from the benefits and enjoyments of property (certainly one of the elements of civilisation, morality, and public order), and their precarious and dangerous condition as dependants on capital and mere recipients of wages, is a question which engages the reflections of those who reason and of those who govern. There is a general desire that the labouring man in every sphere of activity should be invested with a greater share of substantial possession, and be attached by deeper and more durable ties to the soil of his country. This great object is being partly realised in Scotland among the élite of those workmen who are engaged in urban industries by the regulated purchase of their habitations, but the mass of dwellers and labourers in the country have still no permanent interest in the land either as occupiers or owners. It is in the Highlands and Islands that a partial exception to this rule is chiefly found, in respect to occupancy; and it is here that occupancy may perhaps be most readily converted into property. The connection between the crofter and his holding is indeed of an unsubstantial character, but the kindly custom of the country in many cases gives a practical security of tenure, while the cultivator is endowed with some of the simpler objects and adjuncts of personal possession; furniture, such as it is; live stock; boats; the implements of two pursuits, husbandry and fishing; some knowledge of pastoral and agricultural processes, habits of trade, the practice of purchase and of sale. Men thus equipped are, in some degree, prepared to become substantial occupiers of small holdings under lease, or to be the managers of land belonging to themselves. While the people are in this way apt for a change of condition, there are, in the present division

of agricultural areas in the north, greater facilities for bringing that change to pass than exist in other quarters. To suffer the crofting class to be obliterated, or to leave them in their present depressed circumstances, if by any justifiable contrivance their condition can be improved, would be to cast away the agencies and opportunities for a social experiment connected with the land of no common interest.

The crofting and cottar population of the Highlands and Islands, small though it be, is a nursery of good workers and good citizens for the whole empire. In this respect the stock is exceptionally valuable. By sound physical constitution, native intelligence, and good moral training, it is particularly fitted to recruit the people of our industrial centres, who without such help from wholesome sources in rural districts would degenerate under the influences of bad lodging, unhealthy occupations, and enervating habits. It cannot be indifferent to the whole nation, constituted as the nation now is, to possess within its borders a people, hardy, skilful, intelligent, and prolific, as an ever-flowing fountain of renovating life.

The claim of the crofter is, however, based not only on his qualities, but on his necessities. The crofter is not in his average condition poor compared with the profounder poverty that exists elsewhere, but he is exposed to unusual risks and vicissitudes. A good harvest or a good haul may make him comfortable for a season. A blight, an early frost, a wet autumn, a long winter, a gale of wind, a wayward movement of the herring, may deprive him of food for his family, funds for his rent, and seed for his ground. In such emergencies he has heretofore appealed to his fellow-countrymen for relief, or others have made the appeal on his behalf. The relief has been granted, yet not always without anxiety and doubt. A transitory and humiliating assistance thus bestowed is but a poor substitute for permanent and honourable encouragements, which might eventually enable the crofter and cottar to support the strain of temporary misfortune.

The last argument which we shall adduce in support of our views on this subject, is the argument of public expediency. The Highlands and Islands have recently been at some points the scene of agitation, and even of disturbance. Acts of violence have occurred on the occasion of the delivery of legal summonses regarding the occupancy of land, and the enforcement of lawful claims on the part of the proprietors have been delayed or impeded by apprehensions of opposition. We do not palliate the dangers attached to this condition of affairs. There are circumstances under which it is the plain duty of Government to carry out the prescriptions of the law at all risks, and by every means at their disposal. But collisions between proprietary rights and popular demands are to be deprecated, for they leave behind them lasting traces of resentment and alienation. The mere vindication of authority and repression of resistance would not establish the relations of mutual confidence between landlord and tenant, in the absence of which the country would not be truly at peace, and all our inquiries and counsels would be expended in vain.

The aspect of the present and the future, calmly considered, presents the following features:—The dissatisfaction of the small

tenants in regard to their position is of native origin, but it is fomented by external influences. The land movement in the Highlands, even if it were not spontaneously maintained by the people themselves, would be aroused to further action by other forces: it is impelled by the democratic and social aspirations prevalent among various classes at home, and will probably enlist the sympathies of Highlanders in all parts of the world. There is a larger, richer, more active and more enthusiastic Celtic community beyond the limits of the Celtic region of Scotland than there is within it, and it is one of the results of increasing knowledge and expanding facilities of intercourse, that men who have forsaken the seats of their birth and early associations continue, communicate, and transmit the affections and passions of their race with even greater warmth than those who remain behind. Endowed with native vitality and fostered by such auxiliary powers, the land agitation of the Highlands is not likely to pass away without some adjustment of the claims of occupiers acceptable to the greater number who are not yet possessed with extravagant expectations. Only then may it be expected that the crofters, restored to tranquillity, confidence, and the exercise of their natural good sense, will fully avail themselves of the important benefits which may be extended to them in connection with the other remedial measures which we have proposed.

In submitting the opinions enunciated above, we do not mean to imply that the claims of the crofting people to legislative protection are of an exclusive character. Special legislation has been found necessary for the benefit of workers in plantations, in mines, in factories, and in ships. It may be invoked for other industries with equal justice. The case of the crofters and cottars of the Highlands and Islands is the special matter consigned to our consideration by Your Majesty's commands. In the recommendations embodied in the present report we have endeavoured to suggest appropriate provisions for their satisfaction and relief, and thus, in the measure of our humble ability, to give effect to Your Majesty's gracious solicitude for a deserving class of your Scottish subjects.

All which we humbly submit to your Majesty's consideration.

NAPIER AND ETTRICK.
KENNETH S. MACKENZIE.
DONALD CAMERON.
C. FRASER-MACKINTOSH
ALEXANDER NICOLSON.
DONALD MACKINNON.

MEMORANDUM BY SIR KENNETH S. MACKENZIE, BART.

IN signing the foregoing Report, I have reserved the right to append a dissent from a part in which I am unable to concur, and to note certain considerations material to our inquiry which made me hesitate somewhat before signing it.

Past experience seems to me to indicate that the recognition of township units, conferring a legal status on village communities, would go far to confirm and perpetuate the poverty which, as has been pointed out in the Report, forms the burden of contemporary literature devoted to the social condition of the Highlands and Islands at all periods. It must indeed be acknowledged that, in the present crowded state of the population, there can be no allocation to individuals of the common pasture, and that the time cannot even be very precisely foreseen when circumstances will permit it; but I hold none the less strongly that legislation which might tend to protract the existence of joint-tenures would be of a baneful character. Report, p. 18,
et seq.

An excessive subdivision of holdings, a ruinous system of cultivation, recurrent destitution which calls for State aid or public benevolence, and lethargy in the people, are perhaps the most prominent of the evils which attract attention in the Highlands; and it is of significance that they are to be found chiefly, if not solely, side by side with the common pastures. Where these exist, the first money which a lad can save from his earnings is invested in a sheep or a cow, instead of going into the savings' bank. The young man with cattle on the hill must have wintering for them; he gets a corner of his parent's croft, or a share of his crop, and thus lays the foundation for future subdivision on his marriage.

The arable land of a township is individually held, but the hill stock winters over it indiscriminately, as has been repeatedly mentioned in the evidence (Q. 8793-5, 9133, 16767, 19686-8, &c). It may as a whole be sufficiently fenced off from the hill pasture, but public opinion in the township prohibits an occupier from enclosing his individual croft and monopolising the wintering; so the early sowing of the crop becomes impossible, there is no inducement to introduce sown grasses, and little encouragement to grow turnips. In short, improved agriculture becomes to some extent forbidden, and hence the increasing sterility complained of in the soil, the miserable crops, and the poverty of the cultivators so far as they are dependent on them. It was indeed frequently contended by the crofters that continuous cropping was a necessity arising from the smallness of their holdings; but it came under our notice (Q. 1667-9, 1917, and 2013) that tenants of ten acres or more of arable land adopted the same system, and it is a matter of notoriety among those in the Highlands who understand the value of improved agriculture, that these common grazing rights form the real

h

obstacle to improvement. Again, the township system offers little or no opportunity of social advancement, for nowhere is there more jealousy of social inequalities than among communities possessed of common rights of which a rich member might be in a position to take unequal advantage, and the existence of such rights is therefore inimical to a gradation in the size of tenancies.

Moreover, wherever there is common pasture, herding the cattle seems to be customary, and it is frequently devolved on the children. This not only affects their attendance at school, but occasions the contraction of loitering habits. Whether these evils are inseparable from the right of common pasture may of course be questioned, but it cannot be denied that at present they are almost always associated with it. In saying this, exception must be made in favour of pasture which is grazed by the common stock of a club farm. This has no relation but in name to the common pasture of an ordinary crofter township, for the cattle belonging to an individual club farmer would be trespassing if they strayed on to it; it is simply a large sheep farm held by a joint-stock company, in which the club farmers only are shareholders; they have a voice in controlling the management, but do not themselves take any active part in the work unless as paid servants of the company. It may be feared that in practice it would be found difficult, under the provisions recommended in the Report, to convert a crofter township into such a club farm.

Report, p. 31. It is affirmed in the Report that pasture is indispensable to the profitable occupation of land in the Highlands and Islands, and that the choice does not lie between separate pasture and common pasture, but between common pasture and none at all. The first of these propositions, so far as it relates to the western side of the north Highlands and the neighbouring islands is indisputable; the second I have already admitted to be true in the present condition of that part of the country. But the important question is whether that condition is one which should be stereotyped by giving statutory recognition to the village community as an industrial unit; I find it impossible to suppose that the township, legally organised with a communal constitution and common rights, could be easily dissolved, or that in practice it would be otherwise than immutable.

On the ground, therefore, that joint pastoral tenancies of the character contemplated are adverse to the attainment of a state of prosperity, and that the prospect of their eventual dissolution, if they now receive legal recognition, is visionary, I must dissent from all that part of the Report which relates to the organisation of crofter townships as agricultural units; and I may add that, in many of its particulars, the details of the scheme also seem to me open to objection.

My concurrence in some other parts of the Report was not given without hesitation. I felt that it would be a misfortune if any of the measures recommended should have the effect of permanently differentiating the Highlands from the rest of Britain, and I doubted whether all of them would be suitable and likely to be made applicable to the whole country. It is improbable that, if once introduced, the period of their operation in the Highlands could be limited.

If exceptional privileges were to be conferred, if it were only as the subjects of special favour that it was possible to contemplate Highlanders as thriving, the grant of such privileges, while it might patch up existing evils for the moment, could hardly fail also to protract artificially the existence of the causes which had produced them, and to ensure their recurrence. In my opinion, the faulty tenure under which they have arisen should rather be brought to an end as speedily as proper consideration for the crofters will permit, and encouragement should be given to the gradual replacement of the crofting system by one of small farms, to which the land law reforms desirable for the rest of the country would be applicable. I have come to believe that those recommendations of the Report to which I have not taken exception need not at least discourage such a consummation.

It was said of the crofters thirty years ago: 'It is a misappre-
' sion, and one that may lead to many others, to regard them as a
' class of small farmers who get, or are now expected or supposed
' to get their living, and pay their rent from the produce of their
' croft. They are truly labourers, living chiefly by the wages of
' labour, and holding crofts or lots for which they pay rent, not
' from the produce of the land, but from wages.' There has been
little change in the crofter's position since this was written. So
far as there has been any, the rise in the rate of wages has resulted
in an even larger proportion of his means being derived from this
source. Now, to ensure the prosperity and consequent content-
ment of the wage-receiving classes, it is of first necessity that they
should be able to find, in the place of their residential settlement,
full industrial employment, but this is just what the crofter in the
West Highlands and Islands cannot do. For six months in the
year he has to absent himself from his family, in order to provide
for them, and for a great portion of the remaining six months
immediate inducements to exertion are wanting.

Report by Sir
John M'Neill,
1851, p. x.

In these districts there are no industrial pursuits, except farming
and fishing; as at present conducted they do not supply anything
like constant work for the population, and no instance came under
the notice of the Commission where a combination of the two in-
dustries produced a thriving community. In the Lews, with the
extension of harbour accommodation, probably a considerable
number of the people might adopt fishing as an exclusive profession;
but in other parts of the Highlands and Islands of the North West,
it seems less likely that very many would do so. Of farming
it may be said generally that the larger a farm the less in propor-
tion to its size is the labour required to work it. The creation of
large farms was the means of clearing many parts of the Highlands
of people, and the small farm system must be reverted to if a large
agricultural or pastoral population is to be maintained. At the
same time, if the people are to be prosperous, where wage-paid
employment is wanting, no holding should be of less extent than
would afford the tenant constant occupation. The evidence taken
by the Commission went to show that even the larger crofts were
found, in the experience of their occupants, to be of insufficient size
to provide them with a comfortable living, and I am reluctantly
forced to the conclusion, that the popular estimate in the Highlands

of the holding necessary to place a crofting tenant in a safe and independent position—an estimate which has influenced the adoption of some of the figures in our Report—will be found in practice considerably below what is requisite for this purpose, when the produce of the holding is the sole source of income.

That the West Highlands and Islands are more suited to pastoral than to agricultural farming is generally admitted, and consequently, in the absence of other industries, they cannot be expected to maintain a dense population. Nevertheless, if the large grazing farms were subdivided, some extension might be given to agriculture; and with the present price of black cattle, mixed arable and pastoral farming might be a profitable method of utilising the land, while the adoption of such a system would be consistent with the maintenance of a considerable number of people. The smallest sized farm of this character recommended by Mr Greig (who gave very suggestive evidence at Helmsdale), was one which would usually be rented at something like £50 (Q. 38628). By some this may be considered an exaggerated view, but his estimate related to the mainland, where the holdings have a value nearly twice as great as in the Islands. It may also be observed, that though spade cultivation has its advocates, it is not generally looked on as profitable labour in the climate of the Highlands, except for garden purposes. Its strongest supporters have never ventured to farm on this principle with hired labour, and it need not be expected that a cultivator, under the conditions presented in the Hebrides, can secure independence if confined to this system of tillage. Under cultivation by horse labour the arable land on a farm should not be of less extent than would give half work to a pair of ponies. On two such farms adjoining one another the work could be done by arrangement between the tenants, each of them owning one of the pair, and so avoiding wasteful expenditure on the keep of idle horses. The amount of pasture land (or the value of the club farm share) to be attached to such a holding would depend on the nature of the country and the capital of the tenant, but the rent might be expected to range from a minimum of £15 in the Hebrides up to £50 on the Mainland. On a farm of less size the occupier would find but intermittent employment, and, as a tenant farmer, this would be inconsistent with his stability and independence, unless he had opportunities of engaging in other undertakings which would not interfere with his farm work; but a smaller holding might suffice for an occupying owner who, having no rent to pay, could afford to some extent to indulge in the leisure of a capitalist. An admixture of larger sized farms would be desirable, and, with these, a few labourers' crofts of just sufficient size to provide the occupants with milk and potatoes. Such a distribution of the soil would clothe the Highlands and Islands with the greatest population which could be maintained in prosperity; but it will be evident to every one acquainted with the country, that it would not provide for the numbers who have come to be resident on it under the crofting system. It is necessary that this fact should be faced, distasteful though it may be. There has been too great a tendency to propose remedies

for the Highlands either exclusively from the economic, or exclusively from the social point of view. It is hardly too much to say that no reform can be considered worthy of the name which does not take both into consideration. If the clearances are the melancholy result of economic theories, it is to be feared that at the present day the revulsion of feeling these have inspired is leading persons of most excellent intention into the opposite extreme, and causing them to urge a division of the land in relation to the numbers upon it, rather than in relation to the numbers it is calculated to support in prosperity.

The character of farming in a pastoral country makes the possession of capital indispensable, and the first great obstacle with which Highland land law reformers are met, is that the crofters whom it is proposed to turn into farmers have no sufficiency of capital to make *profitable* use of a holding large enough to give the occupier a certain livelihood. A second obstacle to the creation of such holdings is that a subdivision of the large pastoral farms would involve the erection of a number of small homesteads at an expense which neither proprietors nor tenants are very well able to undertake; and again, if improved buildings should be erected on enlarged but still insufficiently-sized holdings, suited to the means of the better-class of crofters of the present day, the existence of these new buildings would be a standing hindrance to that further consolidation which would be desirable.

It can only be by a very gradual process that the Highlands and Islands will become dotted over with small farms occupied by a flourishing peasantry. This might, however, to some extent be facilitated by the offer of cheap loans for the erection of the necessary homesteads, and for the stocking of farms. Now that the landlord's hypothec has been done away with, expansion to the credit of the small tenants might be given in a much required direction, by legalising (under proper restrictions as to publicity) the assignation of their farm stock at entry, as a preferential security to any one supplying them with the means of procuring it. Even if such an assignation might not warrant the direct advance of State funds, it would frequently suffice for the interposition of the landlord's security, were advances for stocking farms to be obtained at a low rate of interest. Some amount of State assistance might also be offered to the occupiers of self-sustaining farms who were willing to purchase them. These are measures which, though of special advantage to the Highlands, might form part of any general scheme of land law reform for the whole country.

If I appear to concur somewhat reluctantly in the recommendations of land legislation for the Highlands, which may prove inapplicable to the rest of the country, it is not because I am less earnest than my colleagues in my desire for the people's welfare, but that I fear the evils that are likely to attend such legislation. Already, self-reliance has been impaired and personal exertion restricted by the hopes excited of obtaining exceptional privileges; and local concessions, which would certainly be received as inadequate, would, I fear, only lead to continued agitation and renewed expectations, with the same deplorable result. In my

own time, the progress of the Highlands, consequent on the spread of education and the increased facilities of communication, has been very great; and if a continuance of that progress, fostered by an extension of these means, be not artificially impeded, it will of itself bring about developments which, in conjunction with general reforms, will gradually place the land tenure of the Highlands on a sounder footing. If, in addition to this, the encouragements to the fisheries and the facilities for emigration recommended in our Report should be afforded, provision would to some extent have been made for the superfluous population, and the progress of improvement would proceed with even greater rapidity.

It is right to add, that in these remarks I have had mainly in my view those districts in the Highlands and Islands where the frequent recurrence of destitution has given evidence of the prevailing poverty, and of the narrow margin which, in ordinary seasons, separates the people from want. These are the districts where the crofting system is in fullest operation,—a system which, however valuable as affording a home with pleasant surroundings to the labourer in those parts of the country where wage-paid labour is required, is elsewhere a general cause of poverty. If palliatives must be applied to the evils which it has produced, care should at least be taken that the source of evil is not invigorated; and it is because I am impressed with the importance of keeping this in view, if exceptional legislation should be adopted, that I have permitted myself to extend this Memorandum to so great a length.

KENNETH S. MACKENZIE.

MEMORANDUM BY DONALD CAMERON OF
LOCHIEL, M.P.

I HAVE signed the above Report; and in expressing dissent from two of the recommendations contained in it, I wish it to be understood that my object is, not to weaken the joint conclusions at which the Commissioners have arrived, but, on the contrary, to add strength to the Report by pointing out certain imperfections which in my judgment are attached to it.

I consider that branch of the Report which deals with Justice could only be held to come under the terms of our reference if evidence had been adduced on the part of crofters or their friends of a considerable failure in the administration of the law. This not being so, I hold that we are hardly competent to recommend off-hand any large changes in the department of local justice, and that our incompetency has not been removed by the examination of any person qualified by position, technical knowledge, or experience, to afford us the materials by which to judge of the efficiency of the present system, or of its adaptation to the requirements of the people.

It must be remembered that no longer ago than 1868 a Royal Commission was appointed to inquire into the Courts of Law in Scotland, with the late Lord Colonsay as chairman; and among its members were found such eminent authorities as the Lord President Inglis, Lord Selborne, Lord Young, Lord Moncreiff, the late Lord Hatherley, the late Lord Gordon, and Lord Rutherford Clark.

This Commission, which was an exceptionally strong one, sat apparently for three years, and reported finally in 1871. It certainly appears to me somewhat presumptuous that, in the face of their Report, and without taking any special evidence on the subject, we should make recommendations at variance with the conclusions then arrived at. The first two paragraphs of this branch of our Report refer to certain complaints and anomalies in respect to the administration of justice, but with one trifling exception does not recommend any alteration of law or procedure with a view to their removal. The exception is to be found in a suggestion that petty debt summonses should be intimated by means of registered letters, instead of through the present expensive process of serving; and this I think is a valuable alteration. The next paragraph appears, though in the mildest possible form, to cast reflections, or at any rate doubts, upon the independence of the resident Sheriff, and recommends that 'he shall be relieved as far as possible of all embarrassments and obligations in his social relations, and be provided with an official dwelling by Government.' I do not, for my own part, share these misgivings; nor is it quite clear to me in what way, supposing they were justified, is the Sheriff to be relieved of all

embarrassment and obligations in his social relations, by merely providing him with an official dwelling. This would no doubt be agreeable to the Sheriff, but it would undoubtedly swell the civil service estimates, and I cannot believe that it would commensurately benefit the crofter.

The last paragraph contains the principal alteration, and it is to this that my objections, subject to a previous admission of want of competency to deal with the matter, are directed. It is here proposed that Procurators-Fiscal and Sheriff-Clerks should be prohibited from doing any work other than their proper business, either themselves or by their partners, and in counties other than those wherein their official duties lie. This involves a serious dislocation of the existing practice; it is directly opposed to the recommendations of a majority of the Royal Commission above referred to; and if carried out, it would admittedly involve a very considerable additional expense to the country.

With regard to the Procurator-Fiscal, I am ready to admit that it might be desirable to confine him to his duties as public prosecutor, were it not for two important considerations. The first is the necessity which would arise, in a country district where his work is light, to increase his salary very considerably, and also to make provision for a pension after a certain number of years' service.

The second is, that in such a district the Procurator-Fiscal would probably be an idle man, and thus gradually deteriorate in efficiency, or he would expend his energies in making work for himself, to the great annoyance of his neighbours. It would be difficult to imagine a greater nuisance, especially to a crofter population, than a public procurator perpetually in search of employment, owing to his being debarred from all those occupations which are congenial to his tastes and habits, and which were previously accessible to him.

But the arguments against depriving Sheriff-Clerks of other occupation appear to be much stronger. He is at any rate not a public prosecutor, nor does he take the initiative in putting the law in motion, or act as judge. He is precluded from practising as a solicitor in his own court, and even from acting in it officially when any matter in which he is personally interested forms the subject of litigation, though where the interest is remote, such as being a shareholder in a joint-stock company which is one of the litigants, the tendency of recent years has, I believe, been to disregard such interest. In fact, his duties are purely ministerial. He sits as clerk of court, has charge of the processes—that is, the papers forming the record and productions in the cases depending before the Sheriff—extracts the decrees or judgments pronounced, and is keeper of the court books. It is difficult to see how, in counties where the duties of the Sheriff-Clerk are not such as to occupy the whole of his time, and having in view their nature, any objection can be raised to his accepting a factorship, or a bank agency, or some similar employment, and still more difficult to comprehend the reason for his being debarred from occupying himself in some congenial way in counties with which he has no official connection.

I cannot altogether forget that there are to be found, in the main Report, recommendations which, if adopted by Parliament, will involve a very considerable expenditure. To some of these demands upon the liberality, perhaps I should say the generosity of the British taxpayer, I have given my adhesion only after much hesitation, and because I believe that no legislative interference, however drastic, is likely to prove effectual which does not involve some pecuniary outlay; but I cannot conscientiously be a party to making an unnecessary or extravagant demand upon the public exchequer; and this proposal, which I think would not really be of any substantial benefit to the crofter, appears to me largely to partake of that character.

I would conclude my observations on this branch of the Report by a strong recommendation, that in all future appointments to the office of Procurator-Fiscal in the Highlands, a knowledge of the Gaelic language should be held to be essential.

I also feel it necessary to record my objection to that portion of the Report which deals with the constitution and reorganization of townships, and in which it is proposed to confer certain powers and privileges on the occupiers of such townships in their corporate capacity. Report, p. 18,
et seq.

The principle of a special statutory recognition of townships as a species of 'commune' is dealt with in a separate Memorandum by one of my colleagues, and to his criticisms I give a general adherence. It appears, however, to me desirable to indicate, somewhat more fully than he has done, the practical objections to the scheme, and the many obstacles which stand in the way of its adoption.

The first difficulty which presents itself is one which is not noticed in the Report. What is to be the geographical area over which the proposed legislative changes are to extend? Are they to prevail over the whole of Scotland, or is it intended to limit them to districts known as 'the Highlands,' or to certain districts in the Highlands where we consider they are most required?

If the proposals are to affect the whole of Scotland, I would submit that we are exceeding the terms of our reference, which limits our inquiry, and consequently our Report, to 'The Highlands and Islands.' If, on the other hand, they are intended to apply to the Highlands and Islands only, it would be necessary to define what are the Highlands and Islands, and this might prove a very difficult task. The definition could hardly be made by enumerating certain counties, as some of the most Highland of Scottish counties—such as Sutherland, Ross, and Inverness—contain considerable tracts of arable ground, and in respect to the tenure of land, and the variety of the size of holdings, resemble any purely Lowland county. Nor could the separation of area be fixed by the boundaries of parishes. To have relations between landlords and tenants, and among tenants themselves, established in one parish on a footing widely differing from the adjoining one, would produce inseparable difficulties, and it is hardly likely that Parliament would consent to the necessary legislation if based on these limits. It may be rejoined that the above difficulty would apply equally in the case of the recommendations to which I have given my ad-

hesion. On examination, I do not think this would prove to be so. Most of the proposals contained in the main Report provide in themselves the elements of limitation, and no special designation of area would be necessary in order to embody them in an Act of Parliament. Such are those which refer to Emigration, Deer Forests, and Education; while that which relates to improving leases might perhaps be extended to the six counties embraced in our inquiry.

Supposing the geographical difficulty be surmounted, the next that arises is the definition of a township. That which is contained in the main Report appears to be open to objection in two particulars at any rate. It is suggested that 'all inhabited places containing three or more agricultural holdings, possessing the use of common pasture land, or which have within a certain period, say of forty years, enjoyed such use,' are to be registered as townships. This definition might have the effect of constituting townships, with all the peculiar conditions and privileges to be attached to them, in many parts of Scotland where their existence is least suspected, and where the very expression is unknown. A totally distinct tenure of land, affecting not only proprietors and their tenants, but also adjacent landowners and occupiers, would perhaps be introduced in isolated localities, where pasture land was still held in common, or where a tradition existed that such a practice prevailed forty years ago.

Report, p. 18. The alternative definition, 'all places containing three or more agricultural holdings known as townships by the custom of the country or estate management,' appears equally objectionable. Such a description is surely too vague and unsubstantial to form a basis for legislative changes of such importance between landlord and tenant, and is hardly likely to find its way into an Act of Parliament. Again, several townships may be united as regards common pasture, but by no other tie. These may go by different names given to groups of houses; each of these groups may constitute a kind of township, recognised as such throughout the district, but they might collectively enjoy the use of a common grazing, while in all other respects their interests might be at variance. In the case of every matter, down to the minutest detail of crofter life, being settled by a popular vote, it is clear that the interests of the least populous part of a township would be liable to be overlooked. Hitherto the controlling authority of the proprietor has prevented any great injustice being done in those cases where crofters elect constables and manage their own affairs; but jealousy and confusion would certainly follow an uncontrolled popular management.

The powers proposed to be given to the township in its corporate capacity are so extensive that they practically amount to almost absolute ownership, with the advantage, which ordinary ownership does not possess, of carrying out works of improvement on the property of the owner at the expense of another person, to the extent of one-half of the cost.

Before touching on the most important portion of the scheme, viz., the enlargement of old and formation of new townships, it might be well to consider the nature and effect of the powers which are to be given to crofters to effect improvements on their holdings.

It is suggested that two-thirds of the occupiers in a township shall have the right to claim the erection of fences between their common pasture and that of adjacent lands, whether belonging to the same or another proprietor, and also between the respective arable lands. This proposal means practically that the proprietor has to erect a fence, whether he thinks it necessary or not, for the benefit of his tenants, he paying the whole cost, except the trifling one of conveying materials from the port or road. It would be undoubtedly held that a wire fencer is a 'skilled labourer,' and thus the crofter's share of the work would be almost *nil*. In the case of a stone dyke the relative share of the cost would not be so disproportionate, but it is clear that the crofters would always ask for that which cost them least; and we have evidence besides that they attach little value to a stone dyke over a wire fence. In the case of roads, a heavy expense without any return might, under these proposals, be thrown on the proprietor, especially where the land borders on the sea-coast, he alone having no voice in the matter. There are some further provisions, such as the right to cut peat, heather, and sea-ware on lands not belonging to the township, which would add to the difficulty of working such a scheme.

I now come to the proposals which relate to the extension of existing townships and the formation of new ones, and which are intended to give effect to the widely expressed desire on the part of the crofters to have their holdings enlarged. In many cases this may no doubt be desirable. But the principle of giving tenants absolute power to occupy land held by the proprietor or by other tenants, on the expressed will of a majority of the number, is so novel, and so inconsistent with the rights of property as hitherto understood, that its effect upon owners of land, upon the crofters themselves, and on the whole community, ought to be narrowly and closely examined. Under these proposals, 'two-thirds of the occupiers of an existing township shall have the right to claim from the proprietor an enlargement of the existing township in regard to arable land and common pasture,' and then follow the conditions and limitations under which such enlargement is to be claimed. It will be generally admitted that if the township avails itself of these powers to any extent, the result would be injurious to the interests of the proprietor, and to the interests of existing tenants who do not belong to the crofter class, even after paying due regard to the many limitations which qualify the recommendations. If, on the other hand, these powers are not made use of to a considerable extent, such a measure would in that case fail to benefit crofters in those parts of the Highlands where poverty arising from overcrowding chiefly prevails. That this would probably prove to be the case will be shown presently. On the supposition that occupiers in townships will generally take advantage of such opportunities for enlarging their holdings, and that their doing so will affect all Highland proprietors, some more some less, according to the populousness of their estates, we are led to the following curious conclusions. Those proprietors who in times past have been proud of their tenantry, and have desired to keep them on their estates—those who, while well aware of the

Report, p. 19,
et seq.Report, p. 24,
et seq.

grave economical error involved in continuing the system of **small crofts**, have yet yielded to the passionate desire of the people (**now** for the first time fully made known to the public) to be allowed to remain on their native soil—those who have spent large fortunes, not wisely perhaps, in giving employment to the thickly populated districts on their estates, or helped them in times of famine with unremunerative work, or more directly with meal or seed potatoes—those who have not thinned the people by arbitrarily raising their rents,—these are the men who will now be punished for what they may bitterly repent ever having done; and more than this, the best proprietors, in the true sense, will fare the worst. On those estates where crofters have been allowed to remain indeed, but where no symptom of judicious management is apparent—where holdings have been allowed to become subdivided again and again,—where small crofts have not as a rule been joined together as opportunity offered,—where squatters have been allowed to become cottars, and cottars a species of semi-crofter, with no defined right of pasturage, or peat, or sea-ware, and where, in spite of the best intentions, the whole township is in a state of social chaos,—in these cases the extension of holdings, as proposed, will be almost a dead letter. But where a proprietor, actuated by an equally benevolent but far more intelligent and methodical spirit, has so managed his estate as to raise the condition of his small tenantry while still retaining them where their forefathers have been for generations, by a process exactly the opposite of that described above—where, by encouraging the industrious, discouraging the idle and thriftless, establishing sound regulations acceptable to the minds and intelligence of the people, and adhering firmly to them, adding small crofts together as opportunity offers, so as to diminish the pressure of population upon the means of employment, and above all, by not raising their rents periodically,—where he has done all this, and thereby placed his crofters in a position of comparative **comfort and independence**,—there it will be found that he has, through and in consequence of this very policy of benevolence, combined with judgment, created the only class among the small tenantry of the West Highlands who will be in a position to take advantage of the powers to be conferred on all townships under the required conditions, and thereby to inflict on him and in many places on his larger tenants grave if not irreparable injury.

To come now to another class of proprietors—those who have managed their estates on strictly economical principles, without any regard to the wishes of the inhabitants; in other words, those who many years ago cleared the lands and converted them into sheep-walks. These are the men against whom the indignation of the crofters and the crofters' friends have been mainly directed, and they will get off scot free. Their people have already gone. There are no townships to enlarge—no population by which to form new townships. The proposal now under consideration will not affect them in any way.

To sum up the results of the experiment upon proprietors. It will affect them injuriously by the exact measure of their having acted in past times in accordance with the wishes of the people,

as expressed in the voluminous evidence now before the Royal Commission.

In discussing the effect of these proposals upon proprietors, allusion has been made to the class of crofters who would, under the limitations suggested, be most likely to avail themselves of the opportunities offered for extending their holdings. It should, in my opinion, be always borne in mind that the origin and object of the appointment of a Royal Commission lay in the pauperised and lamentable condition of the population in certain parts of the Western Highlands and Islands. It is an obvious truism, that where the population is congested, there it requires the means of expansion, either by emigration or enlargement of holdings; and it is also clear that where the people are comparatively well off, either on account of their agricultural prosperity or from abundance of employment or fishing, there special legislation is less needed than where the holdings are too small and work scarce. It is now suggested that the claims of an existing township for an enlargement of area shall not be enforced unless satisfactory proof be advanced that the township as a whole is able to stock the additional area of hill pasture, and each individual is able to work and pay rent for his additional arable ground. It follows from this that the poorer and more hopelessly insolvent a community may be, the less will it be in their power to take advantage of the privileges which it is proposed to confer on them; while the richer and more prosperous the township, the better will it be able to occupy and stock more land. If this is true, and I cannot see how it can be otherwise, the result will be that these recommendations of the Royal Commission will not only fail to meet the alleged evils to find a remedy for which formed the ground of their appointment, but that this particular remedy which they have invented can only apply where the disease does not exist, as it has been shown that the richer the township the more will it enlarge itself under the proposed compulsory powers, and the poorer it is, the less will it be able to do so.

It may be assumed, moreover, that the aim of a good proprietor in managing his estate is not merely to increase his rental, but to add to the prosperity of his tenantry, to augment their means, and raise their social status. The question thus arises—Will these proposals serve as a stimulus to the proprietor in the above direction or the reverse? For my own part I cannot see, so long as human nature remains as it is, how any proprietor will, under such restrictions, be able to look with satisfaction on the improving condition of his crofters. He will feel that as their circumstances become better, they will be more able to avail themselves of the powers which are to be conferred upon them, and to make demands upon him to have their crofts enlarged without his consent out of adjacent lands in his own occupation or in that of farmers paying more than £100 rent. Moreover, such a system would tend to discourage all agricultural improvements on other classes of farms, because these, however suitable for the larger holding, may be comparatively useless when it is cut up and divided. If, on the other hand, his crofters continue in poor circumstances, they will be unable to satisfy the conditions which will put it in their power to

acquire more land, and he will be left to administer his property in accordance with what he considers best for all concerned.

With regard to the method of ascertaining the wishes of a township, the proposal is that in the case of augmentation a demand by two-thirds of the occupiers shall be sufficient to bring the compulsory powers of the sheriff to bear upon the proprietor. This is so novel an arrangement that some consideration ought to be devoted to its working. How is this decision of the occupiers to be obtained? Clearly by a direct vote taken in some shape or form. Regulations for voting would therefore have to be framed differing from those in use at political or school board elections, as the subject of the vote would be essentially different. Still a complete apparatus would be required, and a number of questions must arise. Should the voting be secret or open? There would be obvious drawbacks to each system,—if open, influences might be used to a greater extent than if by ballot. On the other hand, ought votes affecting the interests of a comparatively small community and no one else, to be given in secret, and should the decision not be rather taken at a meeting of all the members of the township, and by show of hands, with the right of demanding a poll? In the case of a very small township, of which there are numerous instances in every parish, the use of ballot-boxes would make the whole proceeding ludicrous. If three or four crofters, having to decide on whether they should ask for more land, were to go through the form of dropping papers into a ballot-box, it would be absurd. Then, how is it proposed to avoid the exercise of influence by landlords or others? What is called intimidation or bribery in political elections can hardly be made penal in such cases as are here contemplated. The vote in question would not be given by way of a public trust for a public object; it would affect directly and pecuniarily the individuals who give the vote. If the proprietor gives a member of the township a *quid pro quo* in respect of what the community is about to ask, this proceeding could in no way be called bribery. He would say to the crofter, 'You want to , compel me to give you land worth £50 a year. By doing this I ' shall probably lose another £50 by deterioration of the holding, ' out of which the addition to your crofts is carved. But you ' won't gain any part of this other £50. It will be a dead loss to ' every one. So I will give value in some shape or form to the extent ' of £5 a year to ten of your number; or if the number is large, ' £2 a year to 25,' always remembering that he has only got to secure one-third plus one of the whole number in the township, in order to avoid the application to the sheriff. To this it will probably be replied, 'That is so. The crofters will get an equivalent—it will be ' a pecuniary advantage which takes another shape, and if it comes, ' as is most likely, in the shape of reduced rent, why all the better.' But on this two important points arise. First, only two-thirds of the crofters will reap an advantage, and the position among their neighbours of those crofters who have sacrificed the township to their own gain may be easily imagined; friendly feelings will certainly not be promoted among the dwellers in a village where the above takes place. Secondly, is not the principle of passing a law by which such a result is rendered possible rather a strange one?

Put in plain language, it is proposed to do something which places a compulsitor on proprietors in certain cases to let to a certain number of the occupiers on their estates land below what may be assumed to be its market value, or to give them some other equivalent.

The proposal intended to promote the formation of new townships calls for little remark. I do not myself think the interference of the sheriff in making public by advertisement the fact that a certain township is overcrowded, or the recording of names of intending applicants for a share of some as yet undiscovered available land, will produce any appreciable effect. It is in my opinion more than doubtful whether any proprietor in the Highlands is likely, either with or without an advertisement, to establish a newcrofting community on his own property, except under the influence of very different inducements from those which are here held out to him; while to entertain the hope that anyone will knowingly add to thecrofting population on his estate, emigrants from other districts, is to assume that men are governed by benevolent considerations, to the total exclusion of all motives of self interest—a theory in which I am unable to concur.

A further difficulty arises in regard to the authority on which should rest the decision as to the augmentation of a township, or the multifarious matters respecting which claims may be made against the proprietor. *The sheriff-substitute is suggested as affording a fitting and competent judge.* But would an ordinary sheriff-substitute in a Highland district be equal to the task which is to be imposed upon him? I have already elsewhere borne testimony *to the ability and independence of these officials; but I cannot admit that the previous training, the position, or the salary of an ordinary sheriff-substitute is such as to justify his being intrusted with such novel, vast, and irresponsible powers as are now for the first time, and probably in opposition to his own wish, to be thrust upon him.* The decisions given by various sheriffs on the claims brought before them would probably be so divergent in character as to be valueless as precedents; nor indeed is it suggested on what grounds or in accordance with what principles the decisions are to be given. Thus the demand for the enlargement of an existing township, which forms one of the most important of the sheriff's new duties, is to be decided in the affirmative 'if he finds it well founded.' Report, p. 24 No guidance is afforded as to what should be the nature of the foundation, nor is he bound to give any reason for his decision. If the enlargement of townships formed the only subject of intervention on the part of the sheriff, some reasonable limit might be expected to the period during which his new powers are to be exercised. But it must be remembered that statutory rights cannot be conferred upon any class among the community without a corresponding provision for enforcing those rights by law; and if arrangements which have hitherto been allowed to remain subjects of private agreement between parties are now defined and made obligatory, it seems certain that the law will be constantly appealed to in case of a difference of opinion by one or other of the parties concerned. The sheriff's public duties, in this view of the future, will be enlarged to such an extent that it may well be questioned whether

Report, p. 24. he will be competent to perform them in the wide district over which his authority extends. If besides those labours which are involved in giving decisions on claims for enlargement of townships, he is liable to be called on to name arbiters to fix the rent of these new holdings as well as of land in the occupation of crofters under improving leases, to determine the various claims and disputes which are likely to arise in connection with valuation of improvements, fulfilment of statutory contracts, deterioration of land or houses, and other relative matters, as well as to see that no restriction is placed on the privileges granted to townships in their corporate capacity, and that these privileges are not abused, it must be admitted that he might be somewhat overweighted. Within the range of his jurisdiction would be gathered affairs of the highest importance, requiring judgment, impartiality, and technical knowledge; while he would be equally responsible for such comparatively trifling matters as the 'proper cutting of sods for roofing, and preventing the eradication of grass on sandy soils.' He would, in short, in respect of these duties, be a kind of Government factor, with the disadvantage of having to look after the most important as well as the minutest incidents of crofter life on perhaps twenty estates instead of on one, and it is difficult to see how, under the existing conditions of his office, its various new duties could be efficiently performed.

In the foregoing remarks reference has been made to the improbability of crofters in poor and overcrowded localities being able to take advantage of the facilities which it is proposed to offer them for extending their holdings. As it appears to me that the success of the whole scheme which is here contemplated must in a great measure, if not entirely, depend upon the capability of the occupiers in a township to fulfil the required condition, that they shall be 'able to use the additional area of arable ground profitably, and stock the hill pasture,' it becomes necessary to inquire how far it is likely that crofters in the West Highlands will be in a position to do so. In the absence of any information on this head from local bankers, reference must necessarily be made to the evidence of the crofters themselves taken during the progress of our investigations in those districts where poverty arising from overcrowding is most apparent. The conclusion to which a consideration of this evidence has forced us, is rendered apparent by reference to the questions addressed to witnesses and delegates at every place where the Commission held a meeting in the Islands, beginning with 'The Braes' in Skye, and ending at Tarbert in Harris. In almost all these cases the reply to our inquiry whether the crofters would be able to stock additional land was in the negative. Some gave a distinct and hopeless answer in this sense; others asked for Government or outside aid, or timidly suggested that the stock which is at present carried on their scanty and impoverished holdings might through course of time so increase and multiply as to fill up the additional area which they would like to obtain. One or two witnesses told us their stock was already mortgaged, while at one place (Isle Ornsay) the attempt to stock additional land had been made and had failed. Of unqualified assertions of compe-

tency to provide stock there are but three examples, and of these one occurs at a place (S. Uist, 11797) where the preponderating evidence is the other way; another (Skeabost, 1255) on an estate where the management is exceptionally liberal; while the third occurs in a district which has all the appearance of being one of the poorest in the Highlands (Barvas, 15358). This assertion however, comes from a minister, and due credit must, of course, be given to his statement. It may be worth while to quote in full the question addressed to John Macpherson (Glendale, 6661), and his reply, as affording substantial proof of the opinion of one of the leaders in the present movement on the resources of the particular district which was last year brought a good deal under public notice. ('Q. How many of your own people would be able, putting yourself out of the question, to pay for their own stock? —I don't know if there are any who could pay for their own share 'without help.')

If this be the state of matters, what prospect is there of any good resulting from the scheme now put forward for augmenting the area of townships? Another obstacle presents itself to the effectual working of such a scheme. What if one overcrowded crofting township, with the sea in front, is situated between two others in an equally hopeless condition? Where is the expansion in that case to take place? Or if there is no land adjacent suitable to be added to the township (QQ. 11103, 11847, 12299, 18533), how is it to be enlarged? With all these difficulties in the way of increasing the size of holdings according to the proposals contained in the main Report, I have come to the conclusion that it is practically impossible to afford any substantial relief, if based on these recommendations, and I must therefore discard them as attractive and well-meant, but at the same time visionary and illusory, attempts to improve the condition of the Highland crofter.

In the preceding remarks I have confined myself to pointing out the many and serious objections to which the proposals for augmenting the area of townships are open. But it would neither be right in itself nor consistent with my duty to confine my observations to mere sterile criticism. Among the various grievances and complaints which have been brought under our notice, that arising from want of sufficient arable and pasture land for the small occupiers in the Highlands is pre-eminent and almost universal. If this demand could be in any degree satisfied, there is good reason to hope that the crofters' minds would be set at rest, and the present disinclination on their part to assist in the process of consolidation of holdings by voluntary emigration would to a great extent vanish. I venture, therefore, to offer an alternative suggestion as to the mode by which a gradual redistribution of land may be effected without doing violence to proprietary rights, and which is at the same time consonant with the ideas and wishes of the crofters themselves. The principle adopted in the proposals which have

Evidence.*

Q. 5025.
Q. 11175, 114-
78, 11627,
11630, 11-
777, 11797.
Q. 760, 1173.

* See also Uig, Q. 1540, 1735, 1979; Stenscholl, 2903; Waternish, 3496; Dunvegan, 4157; Broadford, 4382, 4655; Braacadale, 6011; Glendale, 6549; Portree, 9414-9429, 10017-10020; Barra, 10424, 10904; Benbecula, 11846, 12042, 12068; North Uist, 12303; Harris, 12992, 13116; Meavaig, 14173, 14244; Breascleite, 14440, 14599; Stornoway, 16080, 16137, 16253; Keose, 18555, 18702; Tarbert, 18916, 18920-21.

been hitherto dealt with is that of compulsion towards the landlord. The essence of my recommendation is to be found in his co-operation. I would submit that not only is the proprietor likely to be a better judge than any other authority as to whether a township is overcrowded, but he is in a far better position to form an opinion as to the chances of success in an attempt to increase the area of the township, or to relieve the congestion of the population by the removal of individual tenants to other suitable places on his property. No one can have the same opportunities of ascertaining the inclinations of his crofters, their means or character. No one is better able to judge which of the crofters would be most capable of profitably occupying land which he might be in a position to offer them, while he alone possesses the requisite information to enable him to dispose satisfactorily of the crofts thus vacated. He would not be restricted, as is proposed in the Report, to the allotment of land contiguous to the overcrowded township. He might transplant half a dozen carefully-selected industrious families to some vacant sheep farm, perhaps ten miles distant from their former homes, and redistribute their crofts among the most deserving of those that remain, thus giving encouragement and hope to all on his estate, that by industry and perseverance they may in their turn rise from the lamentable condition in which many of them now are to that of small but independent land-holding families. In this way alone, so far as I can see, would the danger of perpetuating very small holdings with common grazing rights, described in the Memorandum by one of my colleagues, be removed, and a new system introduced, alike pleasing to the people and founded on true economical principles.

It is hardly necessary to point out that such a result can never be obtained through any compulsory Act of Parliament which the ingenuity of legislators can devise. The majority of my colleagues have clearly though tacitly admitted this by advocating the appropriation of additional land, not to the individual crofter, but to the township in its corporate capacity, and by restricting the application of this scheme, as they were of necessity bound to do, to lands in the immediate vicinity. No relief outside the bounds of his own croft is thus given to the industrious thriving tenant who possesses means to enable him to stock a small farm. A hard and fast law could never be so enacted as to distinguish between the idle and the industrious crofter; it could give no indication as to what are suitable lands for profitable cultivation by small tenants; it could not provide for a redistribution of the vacated crofts; it could not find capital where no capital exists. Such a law could only be made effective by the State acquiring through purchase land sufficient to be available for division among small occupiers; and as this has not yet been suggested, it need not be here discussed.

Assuming, then, that some relief ought to be given to crofters in overcrowded districts, and that it should be based on the co-operation of the landlord, it appears to me that the difficulty already referred to in regard to the stocking of the lands must be resolutely faced. In the first place, I would observe that although the evidence leaves no doubt in my mind of inability, almost without

exception, on the part of the occupiers in a township, as a body, to fulfil the conditions necessary to entitle them to augmentation of area as proposed in the Report, I am equally confident that there are throughout the Western Highlands, even in the poorest districts, a few individual crofters possessed of means sufficient to enable them to stock a small arable and grazing farm, say of £30 rent. I have reason to believe that within the last few months a sheep farm on the estate of a large proprietor in Skye has been in part taken by three or four crofters who were tenants on another portion of the estate; but I should hesitate to affirm that the township or townships from which these crofters came are as a whole capable of profitably occupying this additional land. There are indeed, it is to be feared, not many in a position to occupy larger holdings without assistance, and it must be remembered, that the division of large farms among small tenants can only be effected on a considerable scale, and that as each farm falls out of lease a sufficient number of future occupiers must be ready to take up the whole or a certain proportion of the land, as may be required. It would be very rarely found possible to establish one or two crofters on a sheep farm without greatly reducing or altogether extinguishing the value of what is left, consisting probably of the highest and worst land. There would also be difficulties in apportioning the stock unless a sufficient area of the hill ground were taken up, so as to render less onerous the liability appertaining to the proprietor or incoming tenant to purchase the sheep by valuation, nor would any one care to become tenant of a reduced farm unless the relative proportion of hill grazing to arable land were preserved.

To enable sheep farms as they fall vacant to be allocated either wholly or in part to a suitable number of carefully-selected crofters (and it must be remembered that the most industrious are not always the richest), one course alone appears to be open, and that is to advance loans to the proprietor so as to enable him to assist intending occupants to stock their new holdings, as well as to erect the necessary buildings and perform other operations incident to the reclamation and enclosure of land. There would be no difficulty in respect of improvements. Loans for such purposes have been made before by Government, and they might be made again. But the idea of furnishing individuals with the means of stocking their farms is novel, somewhat startling, and will doubtless be considered by many as objectionable. One gentleman, to whom reference is made in the main Report, has submitted a plan by which live stock shall be made a legal security, and capable of being mortgaged in the same way as land. I fear that even if this were done it would not result in inducing bankers or others to advance money upon the above security without requiring such a high rate of interest, to cover risk or insurance, as would render it impossible for any tenant, large or small, to avail himself of the loan. Nor, under these circumstances, could Government be expected to accept risks which would not be in any way diminished from the fact of their being incurred by the State instead of a private individual.

Again, if the necessary funds were advanced by Government or through a company, or any other agency than that of the landlord,

the crofter to whom it was advanced would find himself in a somewhat unfavourable position. He would be the owner of a mortgaged flock, paying two rents to two separate and jealous parties, the money-lender and the proprietor, the former of whom would be necessarily inexorable, while the latter would be apt to become more vigilant and punctual in his demands than if he stood alone. It certainly appears undesirable for poor men to enter upon the occupancy of land under inflexible pecuniary obligations to a public agency.

What I would propose is as follows:—That the proprietor, when he is desirous of forming a new township, or adding arable or pasture to an existing township, and has selected a certain number of crofters, not less than four, from his own estate who are willing to settle on the lands proposed to be dealt with, should make application to the Public Loan Commissioners for a loan of money, repayable with interest at 3 * per cent. by instalments, extending over a period of thirty years, to provide houses, enclose and drain land, and purchase stock, under the following conditions: That the new tenants shall be taken from the estate belonging to the proprietor, and that their holdings, if vacated, shall be partitioned among or allotted to the remaining crofters in the same township—that leases of thirty years be granted to the tenants in a new township, and that their holdings shall be of not less value than £30 yearly rent—that the amount borrowed for the purpose be not in excess of £20 for each pound of yearly rent, and that of this £20, one-sixth shall be provided by the tenant. Thus, in the case of a new holding of the annual value of £30, the sum required to establish him and stock the land might amount to £600, of which £100 would have to be provided by the tenant. But I would propose that even this £100 need not be provided in money or all at once. It might take the form of labour on the farm, such as the reclamation of land, or that expended on the erection of the dwelling-house or offices, or the completion of the full stock of cattle which it is intended to maintain, by natural increase instead of by simultaneous purchase. All these processes, whether of labour or providing bestial for the farm, should, however, be considered as completed before the expiry of the third year of the tenancy. The intention is to provide some additional security to the landlord against the failure of the tenant through mismanagement or any other cause to fulfil his contract, in which case, and in spite of all precautions, the latter might become bankrupt, the lease abandoned, and the farm deprived of its proper stock, while the liability of the landlord to the Government for instalments and interest on advances would continue till the termination of the lease. With the above precaution, however, accompanied by the exercise of free choice of his tenants on the part of the landlord, and by the insertion of suitable provisions in the lease, any risk to the landlord arising from the possibility of the stock on the farm being unduly diminished or altogether disposed of would be reduced to a minimum.

* It is believed that omitting fractions, £5, 2s. paid yearly will pay off £100 over thirty years at 3 per cent., while, at the same rate of interest, £4, 19s. 11d., will pay off the same sum in thirty-one years. The latter term would therefore be probably found most convenient for the proposed lease.

The kind of holding which is here contemplated would consist of twelve acres of arable land and grazing to carry six cows and their followers, together with 200 sheep. Assuming that the arable land requires little or no draining, and that the dwelling-house and offices are not built on an ambitious scale, £600 would not appear too little to equip the farm.

The instalments and interest during thirty years on the money borrowed would, at say 5 per cent., amount to £25, which together with the rent would form a first charge annually due to the landlord of £55. It may be interesting to endeavour to ascertain in a compendious form the result which the tenant may reasonably expect to realise. The following sketch, which I submit with some hesitation, is framed on the understanding that the sheep management is conducted with the same skill as is shown by an ordinary sheep farmer, and in a very different manner from that prevalent on hill ground at present occupied by crofters; and it may be remarked that it should be made a special subject of agreement that the shepherd should be approved of, if not appointed, by the landlord, and furnished by him with a house and garden, the tenants allowing him the grazing of a cow and sharing her winter keep. This would not only secure proper management of the sheep, but would also give confidence to the landlord that the flock could not without his knowledge be purposely reduced in numbers. The values in the subjoined table are based on the present approximate prices of cattle, sheep, and wool; and I believe that if an average of years had been taken when cattle and sheep were lower but wool higher, the difference would not be very great.

TABLE OF RECEIPTS AND EXPENDITURE.

RECEIPTS.		EXPENDITURE.	
Slack ewes, 20 at £1 . . .	£20 0 0	Rent	£30 0 0
Wедder lambs, 50 at 12s. . .	30 0 0	Interest, 5 per cent. on £500	25 0 0
Ewe lambs, 12 at 14s. . . .	8 8 0	Rates at 2s. in the £ . . .	3 0 0
Wool, at 2s. per sheep . . .	20 0 0	Dipping, at 3d. per sheep . .	2 10 0
Three stirks	18 0 0	Share of shepherd's wages and allowances, ¼th	8 0 0
One cow	9 0 0	Other expenses of sheep farm, say	5 0 0
Total,	£105 8 0	Total	£73 10 0

Leaving the tenant £32 and the produce of his arable land to maintain himself and his family, to winter his horse and cattle, to pay his share of the bull, and to purchase seeds. It must also be remembered that with only twelve acres of arable land and a shepherd to look after his flock, he will not unlikely find himself free to work for wages during a certain number of days in the year, should there be any suitable opportunity for so doing.

The above balance-sheet does not, certainly, present any great attractions in the way of profit, and may, indeed, even as it stands, be made out, in a sense, too flattering to the tenant; but if at all correct, it represents affluence compared with the state of things which in some places exists at present; and it must be remembered that in no form and under no system of agriculture can great

profits be obtained at the present day. At any rate, I am convinced that there is hardly a crofter of energy and ambition who is either possessed of £100, or who hopes by labour to make up that sum within three years, who would not gladly accept a farm and take his chance of success on the terms above indicated.

In suggesting the above scheme, it would not be right if I were to avoid all allusion to objections which occur to me as likely to be raised against it. The first is contained in the question, Why should the State interfere at all, by artificially assisting one class of the community to raise itself to a higher position; and why not leave crofters, like other persons, to trust for advancement in life to their own resources and their own energy? I would however point out that, according to the project above suggested, the State can in no way be said to find the crofter the means of raising himself to a higher social condition. The State is only asked to advance money to responsible persons, on such security as it may see fit to take, in order to effect certain improvements in the Highlands. The same process has been, and is still, at work in large towns, whose governing bodies have, by means of loans, been enabled to carry out, for the benefit of their poorer classes, many useful improvements. The crofter is to be raised, not by State aid, but with the co-operation of his landlord, assisted by the stimulus of his own energy and ambition. This brings me to another objection which will probably be made, but which, I believe, can be easily met. It may be said that, if proprietors are so inclined, there is nothing to prevent them at present from lending their own money to enable crofters to settle on existing sheep farms as these fall out of lease. In answer to this objection, I would observe, in the first place, that it is not quite certain whether, since the abolition of the Scotch law of hypothec, a preferential claim over other creditors would devolve on the landlord in respect of stock, even though the stock, to all intents and purposes, belonged to him. In other words, it seems more than doubtful whether stock can, without a special Act of Parliament, be mortgaged. In the next place, it may be assumed that very few Highland proprietors can afford to advance such comparatively large sums without borrowing on the security of their estates; and in the case of entailed estates, they cannot, as the law now stands, effect any loans, either directly or through the agency of companies, for the purpose of supplying their tenants with the means of stocking their farms. Thirdly, even if the law permitted such a destination for money so borrowed, the rate of interest would necessarily be higher than that under which public loans are made; and small though it might be, the difference would be sensibly felt in the narrow margin of profit left to the tenant after paying rent, interest, and other expenses of the farm. Lastly, if the project intended to benefit the crofters were in any way assisted by the State, it would be the duty of the Government to exercise some control over the conditions under which the land is let to the tenant, and this might prove to be, to some extent, advantageous to the latter.

It will be observed that in the matter of rent I do not propose to depart from the principle of free contract between the proprietor and tenant, but I contend also that under my scheme the nearest

practicable approach to fair rent under free contract is obtained. The proprietor will receive two separate annual payments, one in the name of rent, the other as interest on the Government loan, and repayment of instalments. It is obvious that since the amount of the latter is fixed once for all, and as the total must depend on the produce which the tenant can extract out of the soil, the amount of the other remaining contributory element, viz., the rent, must be adjusted to the capability of the holding. Should the proprietor fix the rent at a higher figure than the land will afford, the only result will be that the tenant may become bankrupt or quit the farm by mutual arrangement; and it will be thrown on the owner's hands, with the liability (which would of course be secured by covenant) to refund to the tenant the instalments of the loan already paid, with very little chance of finding a successor. Thus if a tenant was compelled to quit a holding, after struggling for ten out of the thirty years' lease to pay too high a rent, he would be entitled to receive from his landlord one-third of the whole cost of improving and stocking the farm, provided, of course, that the stock left was equal in number and value to that originally purchased. Thus, one great advantage which I claim for this scheme is, that it would unconsciously and by a natural process introduce a principle of 'fair rents under free contract.' To these considerations may be added one to which former reference has been made; and I would ask, Can any one suggest a better plan which does not involve the acquisition by the State of land on which to settle crofters from overcrowded townships? If none other is forthcoming, I would humbly point to that now suggested as possessing some elements of success, as one likely to commend itself to the crofters in the Highlands, and as an experiment to which it is at any rate worth while giving a trial. If such a system, sanctioned and rendered operative by legislation, were to any extent adopted throughout the Highlands, it seems impossible to doubt that the results would be beneficial to all concerned. The proprietor, indeed would be probably compelled to sacrifice some share of the rents which he has lately been receiving for his sheep farms or his deer forests; but the latter forms at best a precarious source of income, dependent on the fashion of the day; while as regards the larger class of sheep farms natural economic causes are already lowering their value, and the old 'wool rents' are gone, probably never to return. The proprietor of such a farm is thus already prepared to see that by establishing on it a class of small tenants, passionately attached to the land of their birth, he will be, as far as human foresight can predict, for ever relieved from the incubus of farms unlet, and the nightmare of unjust valuations, which threaten, and never more so than at the present time, to involve him and his estate in a common ruin. Nor could it fail to afford him the luxury of a well justified satisfaction, when he sees the poverty and lethargy of the present race of crofters gradually transformed by his own action, and not by that of the sheriff-substitute on the vote of two-thirds of a township, into a condition of independence, hopefulness, and comparative comfort. Circumstances would no doubt tend to make the transition to the new state of things slow, but while it lasted the interest of the pro-

prietor in the management of his estate would surely be increased tenfold. He would see rising up around him a new class of tenantry, whose industry and patient labour gave promise of not only improving greatly their own condition and adding strength and stability to the country, but of rousing their neighbours from the torpor into which the absence of all encouragement to improvement, fostered by the inherent peculiarities of the Celtic race, has during many generations plunged them.

The attractions offered to the crofter by such a scheme must prove even stronger. Placed in a position where a new field is offered for the exercise of skill and industry and stimulated to exertion by the knowledge that so long as he can meet his rent and other engagements, every passing year brings him nearer to the time when, either in his own person or in that of his successor, the complete possession of the stock on his farm and of the full value of all improvements, will be secured to him, he will be furnished with every motive which experience shows is calculated to make men cheerful and contented, as well as laborious and enterprising. The annual repayments of the loan to enable him to improve and stock his holding will form a kind of sinking fund by means of which, without further effort on his part than a continuous and patient devotion to his business, the process of a progressive accumulation of capital silently but steadily goes on from year to year, until at last he finds himself secure in the possession of a valuable property; while the closing years of his life are sweetened by the knowledge that it has been acquired through his own industry, and cheered by the thought that those who come after him will never know the want and privation which on his entrance to manhood he himself possibly experienced.

Should the Legislature see fit to give effect to the above and to the other joint recommendations of this Commission, I myself entertain the sanguine hope that the present depression and discontent among the inhabitants of the Western Highlands and Islands will pass away, and that the future which is in store for them may be replete with the elements of independence, contentment, and prosperity.

DONALD CAMERON.

MEMORANDUM BY MR FRASER MACKINTOSH
OF DRUMMOND, M.P.

I HAVE signed the foregoing Report, but feel constrained to record that on the following points it does not meet my views.

I. On the Land Question—

1. I cannot agree to the figure of £6 being the proper minimum rent under which a crofter cannot apply for an improving lease, or benefit by the steps proposed for ameliorating his condition. I do not wish to perpetuate small crofts, but at same time there is no use in at-once insisting upon poor people doing instantly what is practically impossible. The figure of £4 would in my opinion be, though high enough, a fair one, and, having been recognised by the Valuation Act of 1854, has a distinct significance. The fixing of £6 will cut out so many deserving crofters that I cannot be a party to their exclusion from the humane proposals in the Report. Report, p. 36.
2. As to the undivided scathold in the Northern Isles. Report, pp. 29, 30.
While approving of the proposed mode of division, I must not be held as admitting that commons belong exclusively to proprietors. The old decisions of the Supreme Courts of Scotland, which arbitrarily stretched feudal rights as regards commons, under the Act for their division, would require to be fortified by the Court of last resort before it could be admitted that udal rights were by implication superseded.

II. Emigration. The Report on this head must be qualified, so far as I am concerned, in these two respects, as follows, viz. :—

1. No State help should be given to individuals, but only to the entire family resident on the croft proposing to emigrate.
2. The localities designated, viz., 'The Northern Hebrides, and, to some extent, the adjacent coasts of Ross, and perhaps Sutherland,' are too wide, and no necessity for State interference as regards emigration has been established, except in the case of the Lews, and some of the minor islands of the Hebrides. Re-occupation by, and re-distribution among, crofters and cottars of much land now used as large farms will be beneficial to the State, to the owner, and to the occupier. Until this is done, much as I deplore the present position of congested districts, I must view with jealousy State-aided emigration. Report, p. 97.

C. FRASER MACKINTOSH.

APPENDICES.

	PAGE
APPENDIX A,	iii
APPENDIX B,	vii
APPENDIX C,	vii

CONTENTS OF APPENDICES.

APPENDIX A.

	PAGE
I. Statement by the Rev. Joseph Lamont, Free Church Minister, Snizort, Isle of Skye,	1
II. Statement by Five Tenants of Bernisdale, Isle of Skye,	4
III. Statement by the Rev. James Grant, Minister of Kilmuir, Isle of Skye,	5
IV. Statement by the Rev. James M. Davidson, Minister of Stenscholl, Isle of Skye,	8
V. From the Rev. John S. M'Phail, Free Church Minister, Kilmuir and Stenscholl, Isle of Skye,	10
VI. Statement by James Urquhart of Conan and Alexander M'Leod of Scuddaburgh, Tenants on the Estate of Kilmuir, in the Isle of Skye,	13
VII. Statement by Captain Allan Macdonald of Waternish, Isle of Skye,	17
VIII. Statement by the Rev. D. Johnstone regarding the Parish of Waternish, Isle of Skye,	22
IX. Statement by MacLeod of MacLeod,	24
X. Statement by the Rev. Archibald Clerk, LL.D., Minister of the Parish of Kilmallie, Inverness-shire,	29
XI. Statement by the Rev. D. M'Callum, M.A., Duirinish, Isle of Skye,	34
XII. Statement by Mr John T. Mackenzie, Dunvegan, Skye (Factor for St Kilda),	38
XIII. Statement by the Rev. Donald Mackinnon, M.A., Minister of Strath, Skye,	42
XIV. Statement by the Rev. Alexander Cameron, Minister of Sleat, Isle of Skye,	52
XV. Statement by the Rev. Finlay Graham, Free Church Minister, Sleat, Isle of Skye,	58
XVI. Statement by the Rev. James Ross, Free Church Minister, Bracadale, Skye,	59
XVII. Statements by John Robertson, Esq., Greshornish, Isle of Skye, and Factor for the Macleod Trustees in Glendale,	60
XVIII. Statement by the Rev. A. Galbraith, Free Church Minister, Raasay, Island of Skye,	62
XIX. Statement by Alex. Macdonald, Esq. of Treaslane, Skye, and Factor to Lord Macdonald,	68
XX. Statements concerning Properties in Skye—	
(1) From Alexander Macdonald, Esq. of Treaslane, Factor for Lord Macdonald, Macleod of Macleod, Major Fraser of Kilmuir, &c.,	69
(2) From Major William Fraser of Kilmuir and Newton,	70

	PAGE
XXI. Notes on Kilmuir, Isle of Skye, Property of Major William Fraser,	72
XXII. Statement of Major William Fraser of Kilmuir and Newton,	75
XXIII. 1.—Number of Decrees of Removing from Agricultural Small Holdings obtained against Crofters on the various Estates in the Isle of Skye in each year from 1840 to 1883 inclusive, ascertained from the Records of the Sheriff-Court at Portree,	77
2.—Reply by Alexander Macdonald, Esq. of Treaslane, Skye,	78
XXIV. Statement by Donald Macdonald, Tormore, late Factor on the Estates of Macdonald, Glendale, &c., Isle of Skye,	80
XXV. Statement by the Rev. Archibald Macdonald, A. and S. Minister of Barra,	95
XXVI. Statement by Rev. James Chisholm, C.C., Craigston, Barra, by Lochmaddy,	96
XXVII. Statement by the Right Rev. Angus Macdonald, D.D., Roman Catholic Bishop of Argyll and the Isles, as to certain Grievances of the Catholics in South Uist and Barra,	97
XXVIII. Statement by Rev. Roderick Macdonald, Minister of South Uist,	113
XXIX. Statement of Rev. Alexander Mackintosh, C.C., Dalibrog, South Uist,	117
XXX. Statement by the Rev. Alexander Campbell, Roman Catholic Priest of Bornish, South Uist,	121
XXXI. Statement by the Rev. Donald Mackintosh, C.C., Benbecula,	123
XXXII. Emigration from the Long Island—Letters of Emigrants from the Property of Lady Gordon-Cathcart in the Long Island,	125
XXXIII. Statement by the Rev. John A. Macrae, Minister of North Uist,	136
XXXIV. Statement of Rev. Angus Maciver, Uig Manse, Stornoway,	137
XXXV. Statement by the Rev. Malcolm M'Ritchie, Free Church Minister, Knock, Stornoway,	141
XXXVI. Statement by the Rev. Roderick Macrae, F. C. Manse, Carloway, Lewis,	147
XXXVII. Statement of Rev. James Strachan, M.A., Minister of Barvas, near Stornoway,	149
XXVIII. Statement by the Rev. James Strachan, Minister of Barvas, Stornoway,	151
XXXIX. Statement on behalf of Lady Matheson of the Lews,	152
XL. Report by John Duthie on Fisheries, to Mr J. Munro Mackenzie, Chamberlain of Lewis, from 1848 to 1854,	155
XLI. Statement by William Mackay, Esq., Chamberlain of Lewis,	157
Extracts from Letters from Lews Emigrants in Canada to Friends in Lews, 1851 and 1864,	163
Copy Correspondence as to Lews Emigrants in Canada,	168
Copies of Letters from several late Tenants of the Lews, who were assisted by Sir James Matheson to Emigrate to Canada,	172
XLII. Statement by John Black, Esq., Sheriff-Substitute, Stornoway,	175
XLIII. Remarks upon the Land Question in general, and in the Island of Lewis in particular, by the Rev. Donald J. Martin, Free Church Minister, Stornoway,	179
XLIV. Statement of Napier Campbell, Esq., Solicitor in Stornoway	194

	PAGE
XLV. Statement by the Rev. Ewan Campbell, Lochs, Stornoway, . . .	205
XLVI. Statement by John Scobie, Esq., late Factor for the Lewis, . . .	207
XLVII. Statement of Mr Roderick Campbell, North Dell, Ness, Lewis, N.B.,	210
XLVIII. Statement by Mr Alexander Carmichael as to Farming Customs in the Outer Hebrides,	213
XLIX. Statement by John Bruce, Esq. of Sumburgh,	217
L. Statement by John Bruce, Esq., Yr. of Sumburgh, Shetland, . .	219
LI. Statements by Major Thomas M. Cameron, of Garth and Annsbrae,	226
LII. Statements of Robert Bell, Esq. of Lunna, Advocate, Sheriff- Substitute at Falkirk,	233
LIII. Case of Robert Gear, of Foula Island, Shetland,	238
LIV. Statement by Mr James Twatt of Rothiesholm, Stronsay, Orkney,	245
LV. Statement by J. G. Moodie Heddle, Esq.,	246
LVI. Statement of Lieut.-General F. W. Traill Burroughs, C.B., of Rousay, Orkney,	248
LVII. Alleged Eviction of Crofters of Rousay, Orkney—	
1.—Statement by James Leonard, Crofter, Digro,	249
2.—Statement by Lieut.-General F. W. Traill Burroughs, C.B., of Rousay,	255
3.—Statement by John Macrae, Esq., Procurator-Fiscal, Orkney,	265
LVIII. Statement of the Rev. Charles Clouston, LL.D., Minister of Sandwick, Orkney,	269
LIX. Remarks on the Agricultural Classes in the North Isles of Orkney, by Walter Traill Denison, Esq.,	270
LX. Statement by Mr James Brown, Delegate, Torse, Caithness, . .	281
LXI. Petition from the Inhabitants of the Island of Stroma to the Right Hon. Lord Napier and Ettrick, K.T.,	282
LXII. Statement of William R. Tait, Esq., C.E., Factor for the Murkle Estates, Caithness,	283
LXIII. Statement by General Sir Arnold B. Kemball, K.C.B., K.C.S.I., Commissioner for His Grace the Duke of Sutherland, K.G.,	286
LXIV. Statement by John Crawford, Esq., Factor for His Grace the Duke of Sutherland, K.G., in the Tongue District,	290
Regulations for the Estate of Reay, as referable to the Small Tenantry and Others Possessing at Will,	297
Sutherland Estates (Tongue Management),	300
LXV. Alleged Cases of Hardship on the Estate of His Grace the Duke of Sutherland, K.G.—	
1.—Extract from Letter of Angus Sutherland, Glasgow Academy, Glasgow (aged 30), Delegate from the Federa- tion of Celtic Societies,	312
2.—Reply on behalf of the Duke of Sutherland to the Statement by Mr Angus Sutherland, Glasgow Academy, Delegate from the Federation of Celtic Societies,	320
LXVI. Scheme of Mr George Greig for Advancing Money to Small Tenants on the Security of their Stock,	324
LXVII. Statements submitted by the Crofters of the Parish of Dornoch,	326
LXVIII. Statement by the Rev. J. Ross, Free Church Minister, Durness, Sutherlandshire,	330
LXIX. Statement by the Rev. John Macpherson, Free Church, Lairg.	333

	PAGE
LXX. Statement by the Rev. William Hall Telford, Minister of the Free Church of Reston, Berwickshire (a native of the Tongue District of Sutherlandshire),	334
LXXI. Statement by Kenneth Mackenzie, Crofter, Scoraig, Ross-shire,	341
LXXII. Statement by John Barclay, Public Accountant, Inverness,	342
LXXIII. Statement by John Forsyth, Esq., Balnagown Estates Office, Parkhill,	353
LXXIV. Petition from 400 Fishermen of Easter Ross,	355
LXXV. Statement by Andrew Smith, Esq., Law Agent, Dingwall,	356
LXXVI. Statement by William Bruce, Esq., M.D., Dingwall,	358
LXXVII. Statement by Mr J. M'Gilchrist Ross, Distiller and Farmer, Teaninich, Alness, Ross-shire,	361
LXXVIII. Statement by N. J. M'Gillivray, Esq. of Dunma Glass, Inverness-shire,	364
LXXIX. Statement of the Rev. Angus M'Rae, Free Church Minister, Glen Urquhart, Inverness-shire,	365
LXXX. Statement by Lord Lovat regarding Glenstrathfarrer Deer Forest,	368
LXXXI. Statement by the Rev. James Bain, Minister of Duthil, Inverness-shire,	370
LXXXII. Statement by the Hon. Thomas Charles Bruce, M.P., Commissioner for the Earl of Seafield,	373
LXXXIII. Statement concerning F. W. Caldwell, Esq. of Mishnish and Alexander Allan, Esq. of Aros,	376
LXXXIV. Statement by Walter Elliot, Esq., Manager for T. V. Smith, Esq. of Ardtornish,	378
LXXXV. Information respecting the Islands and other Estates of His Grace the Duke of Argyll, K.G., K.T.,	380
LXXXVI. Alleged Cases of Neglect by Parish Officers, brought before the Royal Commission by Mr J. Murdoch,	395
LXXXVII. Statement for the Free Church and its Committee for the Highlands, by the Rev. Robert Rainy, D.D., Principal of the New College, Edinburgh, and Rev. James Calder Macphail, Minister of Pilrig Church, Edinburgh,	398
LXXXVIII. Statement by W. Anderson Smith, Esq., on Fisheries,	415
LXXXIX. Notes on the Fisheries of the West Coast of Scotland, by Captain Thomas A. Swinburne, R.N., of Eilean Shona, Argyllshire,	417
XC. Destitution in Easter Ross, Ross-shire, 1783,	420
XCI. Statement regarding Highland Club Farms, by the late William Mackenzie, Esq., Factor for Ardross and Lochalsh,	424
XCII. Communication on the West Coast,	430
XCIII. Further Statement by William Mackay, Esq., Chamberlain of Lewis,	431
XCIV. Statement regarding Deer Forests in the Highlands, by Rev. Roderick Morison, Minister of the Established Church, Kintail, Ross-shire,	434
XCv. Further Statement by John Bruce, Esq. of Sumburgh,	439
XCVI. Correspondence regarding alleged Eviction of Crofters in Mull,	440
XCvII. Extract from a Letter of Rev. J. G. MacNeill,	449
XCvIII. Reply of Lord Napier and Ettrick, K.T., to Statement of General Burroughs,	450
XCIX. Grazing and Agrestic Customs of the Outer Hebrides, by Alexander Carmichael,	451

	PAGE
C. Extracts from Books Illustrating Statements in Report,	483
CI. War Office Returns for Counties in North Britain,	513
CII. Table showing the Population, Pauperism, and Expenditure on Poor Relief in the Counties comprised within the Limits of the Inquiry as comparative of the Three Decennial Periods, 1861, 1871, 1881,	514

APPENDIX B.

Form of Return (No. I.) respecting Crofters and Cottars, issued to Proprietors,	516
Form of Return (No. II.) respecting Cottars alone, issued to Proprietors,	518
Form of Return (No. III.) respecting Deer Forests, Farms, Shootings, Fishings, &c., issued to Proprietors or Factors,	519
Abstract of Returns of Crofters in—	
Argyllshire (Islands),	522
Caithness,	523
Inverness-shire (Mainland, Western Sea-board),	524
Long Island,	525
Ross-shire (Mainland, Western Sea-board),	526
Sky, Isle of (including Eigg),	527
Sutherlandshire (Western Sea-board),	528

APPENDIX C.

Deer Forests—	
List of Deer Forests in Scotland,	580
Map showing Areas devoted to Deer Forests.	

APPENDIX A.

I.

STATEMENT by the Rev. JOSEPH LAMONT, Free Church Minister,
Snizort, Isle of Skye.

(See Evidence, p. 38 et seq.)

I.
Rev. Joseph
Lamont,
Snizort, Skye

In giving my humble evidence before the Commission, I take this opportunity of bearing testimony, as a Free Church minister, and in behalf of a Free Church community, to the kindness shown us by the three proprietors in the parish upon whose lands our ecclesiastical buildings are situated.

There is first Major Fraser of Kilmuir. It is owing to him that we have our present church at Uig. Until he came in possession of the estate our people were refused a site, and many a Sabbath has my venerable predecessor, the Rev. Roderick McLeod, preached in the open air with the hailstones dancing on his forehead, the people wiping away the snow before they could sit down, and when the shower was past not distinguished from the ground except by their faces. When Major Fraser bought the estate there was not only liberty heartily granted to erect a church upon the most eligible spot, but he largely helped from his own resources and with the aid of his friends to raise the necessary funds, kept it in neat repair while he resided at Uig, and hitherto has not demanded a single farthing for the site. For these generous and noble acts, whatever views may be entertained as to the lands, the heart of the Free Church community will ever beat with kindly feeling and gratitude towards Major Fraser.

We have to thank Lachlan MacDonald, Esq. of Skeabost, for permission to hold our summer communions upon his grounds, and for liberty to those who take horses to graze them upon his lands during the days of that solemnity.

We are deeply grateful to Alexander McDonald, Esq. of Lyndale, for handing over to us a small mission church not required by the Established Church; but from which they excluded us at the Disruption.

I wish to make another preliminary observation regarding the part we acted as Free Church ministers in connection with the visit of the Royal Commission. We have been accused of being the leaders in the crusade.

In common with our brethren in the Establishment we received notices, and apart altogether from our relationship with our people, and our duty towards them, we considered it respectful to the representatives of royalty to give due publicity to the notices. I myself presided at the meeting at Skeabost to appoint delegates, but did not propose a single name. I was sent for to Uig after the delegates had been chosen, and the only name I suggested there was one also suggested by Major Fraser.

I.

Rev. Joseph
Lamont,
Snizort, Skye.

I have to corroborate in the main the evidence given by the delegates from the parish of Snizort, and also to certify as to their moral character. Some of them are among the most exemplary within the bounds of the parish, and foremost in every good work. The grievances complained of were quite familiar to me before any agitation came into the island. The people in general are as responsible for the statements made during this inquiry as the delegates whom they have appointed. If few or many have been led to give expression to different sentiments in any public testimonials, no clearer proof could be shown for the necessity of the inquiry, or that the fear of man bringeth a snare.

The poverty so frequently referred to has been going on for years, though the past two adverse seasons have occasioned its outcome, as the last straw breaking the camel's back. I am familiarly acquainted with the West Coast as far as Cape Wrath, and know the habits and customs of the people, and never met a class more reluctant to trouble a clergyman for temporal relief or ventilate their griefs than the Skymen. But necessity has no law. Our parish is twenty miles in extent, with a population exceeding 2000. I visited every family within its bounds over and over again. The clergymen do not visit our people merely in summer, when others come with the return of the cuckoo and see Skye in its glory; but our hardest work is in the dead of winter, and we are therefore entitled to tell what we see and hear—but the whole shall never be told. Last year has undoubtedly been an exceptional one; but one bad year might not throw the people into their present state of helplessness if this state of matters had not been previously going on. It is owing to the generosity of meal dealers, in whose books the people are sunk to an incredible extent, and the liberality of friends in the south, that we have not starvation by scores. When a township of eight or nine tenants is £50 in debt for meal, another of seven, £54, another of about thirty, £152, another of thirty-four, £300 or £400; when one man having two cows is £18, another having one and a stirk, £20, there is room for *inquiry*.

There has been reference made to the number of mills standing still. Next to the mill the most serious question in my humble opinion is how many looms are standing still or converted into roosts.

The loss or want of the hill pasture for sheep is one of the saddest. Families accustomed to spin their own wool for blankets and warm clothing will see a hundred family requirements before they would purchase a pair of Scotch or English blankets from Mr John Robertson, merchant. Hence the frequency with which the melancholy fact came out that bags are used instead of blankets in many instances. I can testify to the correctness of that statement, and have even been informed that some sleep in their day-clothing.

The young people, male and female, as a rule go south, and will endeavour, if they do not lapse altogether, to appear like their neighbours in respectable clothing. If in that decent attire they appear in public at home—at church or at market—it can scarcely be called extravagance in dress. Let it be remembered that towards that so-called extravagant dress their native hills may not have contributed one single thread of the outer or under clothing. Reference has been made to extravagance in tea, and I must admit it; and to those who have no milk I recommend gruel to help down their dry morsel. But where there is the necessary supply of milk that extravagance does *not* exist. My own position is happily better than that of the people in general; but for the feeding of three of my bairns I have been more indebted to the hills of

Switzerland than to the land of my adoption. What substitute, therefore, can be suggested for tea, in the case of the poor, when milk is wanting? To this poverty I partly attribute much of the immorality which is still prevalent. There being so few separate sleeping apartments—though the sin is on the decrease through the influence of the Gospel. I do not believe there would be such a temptation to resort to the public-house if home were made more attractive by greater comfort.

The relief given to paupers is not half what it ought to be, and they would literally starve if their neighbours did not help them out of their own too scanty store. The tenants have thus the double burden of paying heavy poor-rates and otherwise assisting the poor. They are groaning under school-rates and fees, more regularly charged under a compulsory enactment. They are paying heavy interest for school buildings to the Public Loan Commissioners—a subject which should receive the serious attention of Government, especially in the case of the West Highlands. The tenants are insulted, as well as burdened, by a recent importation of fifty additional policemen. Apart from the skirmishes at Braes and Glendale, there could not be a more peaceable community; and if an outbreak *did* occur, the former complement were as efficient to quell it as the present unnecessary staff.

There is a general distribution of relief throughout the island; and unless some means are devised to give more lands to the people at reasonable rents, we have not seen the end of that destitution. Some of my cloth recommend emigration as a solution of the difficulty. I admit that, as a rule, those who have gone to America are more comfortable than those they left behind; but surely the whole truth regarding them does not come out when the clergy themselves are so keen to come back, even though their relatives may be left in Canada.

If a scheme of emigration is planned, aid for that purpose must be forthcoming from some source or other. Surely it is more reasonable that such aid should be granted for improving the condition of the people at home than improving them abroad.

We are sometimes accused as a Church of burdening the people by exacting too much for the support of the ministry. We do not exact, my lord; we receive the voluntary contributions of the people. It should not be a heavy burden for a population of 2500 to support one man. My parish only pays the half, and will bear favourable comparison with most West Highland parishes. That amount never kept a shilling from the rent at Martinmas, or the same amount from the merchant's rendered account at Whitsunday. This poverty is one of the greatest trials we have to contend with. Pastoral visits cannot be so acceptable to a family in need; and when the cases are numerous, the clergyman, with a small stipend, cannot do much. The house of God is not so regularly attended, for want of warm and decent clothing; and scores in Skye choose, like Nicodemus, to come at night that their scanty clothing may not be seen. Whoever of our Highland proprietors will first come forward to set an example—restoring what he can to the people of the lands his forefathers cultivated—will be the first to bring the blessing of "Him that was ready to perish" upon his own head and that of his descendants after him.

JOSEPH LAMONT.

I.

Rev. Joseph
Lamont,
Suisart, Skye.

II.**STATEMENT by FIVE TENANTS of Bernisdale, Isle of Skye.***(See Evidence, p. 38, et seq.)***II.****Tenants of
Bernisdale,
Skye.**

We, the undersigned tenants of Glen Bernisdale, on the estate of Lauchlin Macdonald, Esq. of Skeabost, do hereby certify that we are exceedingly sorry to hear of the incredible evidence Mr William Maclure, our representative, stated before the Royal Commission. In the first place, the tenants when removed from Skeabost to Bernisdale, &c., were provided with new houses at the cost of £15 sterling; he gave them those houses gratis, without interest or any charge; moreover, he gave them half share of the Bernisdale joint stock of sheep, to the amount of £6, 10s., gratis, without any charge; likewise, he gave them compensation for improvements made on land in the year 1873; likewise, he gave us potatoes and seed oats this year; moreover, he gave us as much hay as we could manage, which saved us from selling our cattle last winter; moreover, he made roads for the convenience of the people to carry home their peats.

FINLAY MACINNES.
ALEX. MACKINNON.
PETER STEWART.
DONALD M'INNES.
JOHN M'INNES.

III.

STATEMENT by the Rev. JAMES GRANT, Minister of Kilmuir,
Isle of Skye.

(See Evidence, p. 81 et seq.)

III.

Rev. James
Grant, Kil-
muir, Isle of
Skye.MANSE OF KILMUIR,
22nd May 1883.

I have had a twelve years' acquaintance with the North-West Highlands, and have been five years in this parish. I have had free, friendly, and agreeable intercourse with my parishioners of all classes, and of both religious denominations, and have heard their minds frequently expressed on the subject of the land, and have seen much of the poverty of which they complain with my own eyes. They say that in the good old days, they had, though they were more in number, greater comforts than they now have; that they had mutton, and occasionally beef, more meal, and more fish. They admit that there were often hard times then, and some say that meal in summer was then often unknown, that they were more indebted to the sea-shore than they now are. I can easily understand that butcher meat, which is now unknown in many townships I may say, and wool for day clothes and night clothes, which is scant enough when there is little money to buy it, were plentiful then, when markets were not so near hand, and the prices low, and the ground now occupied by sheep stock, worth, I should say, between £20,000 and £25,000, then occupied by crofters either as arable land or as common pasture. I can easily understand that milk was more plentiful, for two reasons: (1) There was not the same temptation to bring good stirks to the market, and (2) the cows were likely not so high bred or so pure as they now are. The cry now is for hair and horns, and such is the demand for them that the dam suckles the calf, allowing but a small pittance of milk for the children, or if the calf gets less milk than he would require, it often gets the children's meal, and £4, £5, or £6, is the year's outcome of a cow, after robbing the children of their meal and milk perhaps. When the calf is weaned, the cow refuses as a rule to give the milk, and so, after three or four months, there is no milk, nor butter or cheese, in store for the winter. Cattle must be reared, but the system of rearing them, while best for the calves, and to be adopted where there is a number of cows, is not the one best calculated to give the poor man the benefit of his one or two cows. Even cottars, who manage to keep one cow, will not break through the custom of the country. It is a beautiful picture to see the humblest cottar possessing a cow, but the picture on closer inspection becomes a caricature. Let the cottar sell his cow's calf and feed his children and provide some butter for the winter months.

The tacksmen complain that the crofters' cattle and horses trespass on their grass. The crofters complain that the tacksmen's sheep destroy their corn.

III.
 Rev. James
 Grant, Kil-
 muir, Isle of
 Skye.

The shepherds hunt the cattle with their dogs, or poind them, but the crofters complain that they can neither poind the tacksmen's sheep, nor keep dogs to hunt them away. The Glebe marches with the tack of Duntulm, and while my cattle and horses have occasionally strayed on to the Duntulm grass, the Duntulm sheep have often injured the Glebe corn and turnips. Mr Stewart kept a herd for the Marches, and when he was faithful, which was the exception and not the rule, my crops escaped injury, and when my cow-herd was careless his grass suffered. The remedy is stone or iron fencing, fail dykes being of no use. Major Fraser, the proprietor, is said to be preparing to fence the tack of Monkstat. My neighbours and myself hope the Duntulm tack will follow suit.

The crofters, who as a class are undoubtedly poor, and, they say, much in debt, allege that the loss of the hill for sheep and horses, and the raising of the rents, have been the causes of their present growing difficulties. When the east coast fishing is fairly successful, families who can send sons there may be able to meet their obligations, and when they are able they make a point, as a rule, of clearing off what they can. A great many young women go south, some to field work in the Lothians, but the greater number to domestic service. There is not an unemployed young man left at home during the summer, and many of them go away in winter.

There is no "*cairbhist*," or personal service to the landlord that I have heard of, nor is there any peat-moss or sea-ware grievances worth speaking of. I have heard it said that Mr MacLeod, the tacksman of Monkstat, allows a man what sea-ware he requires for one day's work in harvest.

The frequent thatching of the exposed houses of the people, and the necessity for heather ropes to secure the thatch, throw the crofters into the arms of the tacksmen for heather and sometimes for rushes. The people feel sore in being debarred, as they say, from the free use of what was their fathers' privilege. As both heather and rushes have a grazing value, I cannot see what is possible for legislation to do in that case. Only, when the heather ground is held by a limited class, the people may feel that they require to be on more than their good behaviour, in order to have the ropes they require for the season.

The crofters cry for more land, and the cottars for some land. Some of the crofters have apparently more than enough, as there is a great deal of tillage sold every year to the crofters who can manage more than they have. But, clamorous as the crofters are for more room, I do not believe that they wish the abolition of large farms, for they are not insensible of the advantages they have had of getting bulls on hire from the famous Duntulm and Monksta herds. They see very well, that were there no gentlemen farmers able to breed high-class cattle, that the market value of their own would soon go down.

Much is made of the want of security of tenure. It is the excuse they offer for not improving their crofts, and for their fear, real or imaginary, of eviction or the raising of their rents. The security of tenure they cry for I fail to understand. It is either a catchword which they do not understand themselves, or it is some kind of proprietary right to the soil. I was astonished to hear, at Uig and Stenscholl, men of more than ordinary shrewdness and intelligence declare that they did not want leases. It is reported that they were advised to do so by an agitator, but of this I am not certain.

I think it desirable that tenancies at the will of the landlord should cease, and that improving leases should be offered for such a term of years as might

be agreed upon by landlord and tenant, and at such a rent as might be agreed upon, the fair rent in the event of disagreement to be settled, not by a Government court or by any outside parties, but by arbiters chosen by the landlord and the tenant. Much as it may be objected to, to bring any compulsion to bear upon landlords, I fail to see how the problem can be solved except by granting improving leases. Compensation for disturbance would be demanded by tenants at will, as well as compensation for improvements, a kind of thing for which there should be no room in this country. In the event of the crofters declining to accept leases on fair and equitable terms, their mouths would be stopped.

As opportunity arises, I would thin the townships by other means than by eviction, and where, and as soon as possible, create new farms of different sizes, give leases on liberal conditions, and invite offers for rent, giving a preference *ceteris paribus* to such as were anxious to leave their smaller holdings for larger. The crofts as they became vacant, to be given for such rent as might be agreed on, let either as a separate holding, or, if a small one adjoining a small, they might be united, and the future subdividing of crofts should be absolutely prohibited.

A simultaneous rearrangement of the crofts, such as the special legislation for the crofters would necessitate, which many seem to desire, I would not approve of. There would be a disagreeable and dangerous scramble for land. The weak and even the worthless would be clamorous for an equal share with the active and industrious, and the condition of things might be worse than the present system, where the similarity in size of the crofts is a marked weakness. I disapprove of the passing of an Agricultural Holdings Act for Scotland, until such time as the results of the present searching and open inquiry are submitted to Parliament, and laid before the country for consideration, as nothing would, in my opinion, be more undesirable than one land law for the Lowlands, and another for the Highlands and Islands of Scotland. Dreamers there are in the Highlands, as in other places, who fancy the Royal Commission and Government can, as if with a magician's wand, make every crofter and cottar the happy possessor of horses, cattle, sheep, and fish, if they only put on the wishing cap. These fancies have been encouraged by outsiders, and they may have given to the present demands the colour of unreasonableness which many have. For all that, such is the deep-seated, innate respect of the Highlanders for landlords and for the powers that be, that I feel confident, that by mutual concessions, a solution of the vexed question is possible, which will be both conservative and liberal, and more satisfactory in the long run to both landlords and tenants.

Highlanders would like their children to be better scholars than themselves, to be able to read the Scriptures in Gaelic, but to be also able to speak English and carve their way through the world. And as one who knows the Highlands and Lowlands quite as well as the strange teacher at Stein, I must differ from him in his opinion of the incapacity of Highland children. When they have competent teachers they can learn as well as Lowland children, were their comforts at home the same, which I am sorry to say they are not.

III.

Rev. James
Grant, Kil-
mnair, Isle of
Skye.

IV

IV.

STATEMENT by the Rev. JAMES M. DAVIDSON, Minister of
Stenscholl, Isle of Skye.

Rev. James M.
Davidson,
Stenscholl,
Isle of Skye.

(See Evidence, p. 126 et seq.)

THE MANSE, STENSCHOLL,
June 12, 1883.

I now take the liberty of submitting my statement. I may mention at the outset that the Royal Commission, over which you so ably preside, gave great satisfaction to the crofter population in this part of the island. The patient manner in which you listened to all grievances, the impartial and searching examination to which each delegate had been subjected, produced a very favourable impression here, as I have reason to believe, it has done elsewhere.

The tendency has developed from time to time, to a far greater extent than is at all desirable, to increase the large holdings and crowd the crofters upon inferior soil, which has contributed considerably to the present distress. Again, the crofter has no protection from the large tacksman; if he makes a complaint he can get no redress. "There is no law in Skye." Might is the only right, and that too in the last decade of the 19th century. One great evil that sadly needs reform, is the state of terrorism under which the small tenantry live, through the insolent threats of subordinate officials, whose impudence increases in proportion to the smallness of their authority. This vicious system has been found by selfish and unscrupulous individuals to work well for their own aggrandisement in the past, but is such as no right-minded man can justify, nor spirited people tolerate. Against that dread terrorism some remedial measures are absolutely necessary, as I have reason to believe that this feeling of insecurity prevents, in many instances, considerable improvements upon the holdings. The nature or extent of these measures is not for me to say, only the painful fact is too glaring to ignore it.

One thing greatly to be desiderated in the West Highlands, which is well worth the special attention of landed proprietors, is the formation of a third class tenantry, paying rent varying from £20, £30, £50, £70, or £100. These are always the backbone of a country, and help more than any other class to develop its agricultural resources. If these were once in a thriving condition, they would, to a considerable extent, be a safeguard against the periodical destitution from which so many in the West and North Highlands suffer at present. This is the class from which so many have risen and distinguished themselves, both in civil and military life. More of them go abroad, and, as a rule, succeed well in the colonies. I have observed that the more reduced in circumstances among the crofters are more averse to emigration than any others. It is surprising the tenacity with which they cling to their native soil, notwithstanding its barrenness and poverty. This may be traced to the backward state of education, a state of matters which the powers that be seem to foster, as if they found it to be their interest to keep the people in ignorance.

There can be no great reform nor radical improvement in the condition of the people so long as education is so much neglected. Previous to last election of School Board, there was only one resident member in this parish. The majority of the board are still non-resident, a result which is fraught with much evil to the efficient management of the schools. If one dares raise his voice against abuses, he is accused of wanting in courtesy to officials. The law is not acted on, but is made to suit the convenience of officials. Even the default officer is non-resident, and though holding said office since the passing of the Education Act, he is still unable to tell the children in the parish between 14 and 15 years of age who were never at school. As the default officer is one of the big tacksmen, his convenience receives more consideration than the interests of the schools.

I have observed that there was a universal cry for more land. This may be partly remedied by and by, though not at once. Nor do I see how more land could benefit many of them at present, as they are unable to utilise it. But there are some among them whom it would benefit at once, if they could only get it.

One thing that would be an immense benefit to the whole of this parish, is the erection of a harbour and pier in Staffin Bay. I am informed that such could be made at no great expense. I am led to understand that Major Fraser has devoted a good deal of attention to this scheme some time ago, although it was never carried out. One great boon is that it would help to develop the fishing of the district, which is said to be second to none in the West Highlands. The steamers pass close to Staffin Bay four times a week, coming and going from Glasgow. These could then be taken advantage of, in conveying the fish to the market. Many would find then that their present crofts were large enough for the time they could afford for their cultivation, as the fishing would prove more remunerative than tending their crofts. Second, the carriage of goods at present is very expensive, so much so that it depreciates the value of the land in this district, through its inconvenience to the market. It is often the cause of great hardships, as meal and potatoes have to be carried, often on the back, 12, 13, and 14 miles.

Compensation for improvements is a subject which has received much attention, both in the press and on the platform. In this I would consider it just and reasonable that the proprietor should have a share, but would ask the law of the land to define that share. Where practicable I would give larger holdings to those who were capable of taking them. This would have a good effect upon others, in stimulating them to make an effort to raise themselves in the social scale, if they had the prospect of getting more land when they were able to take it.

I have heard several complaints with regard to the summing of townships. This is generally believed to be far in excess of what the pasture is able to maintain. There are some who have more than is allotted them, but many have none. If all had the number allowed to each in the summing, the ground they say would not maintain the half of it. This seems to have been the false basis upon which the rents were raised, and which proved so disastrous in its results.

With regard to the evidence on the other side, I must say that I was much pleased with that of Skeabost and Mr Baird of Knoydart. As to the defence set up generally, it seemed to me so complete as to defeat its own object, so that it failed either to convince or impress.

JAMES M. DAVIDSON.

IV.

Rev. James M.
Davidson,
Stenschoil,
Isle of Skye.

V.

From the Rev. JOHN S. M'PHAIL, Free Church Minister,
Kilmuir and Stenscholl, Isle of Skye.

(See Evidence, pp. 81 and 126 et seq.)

V.

Rev. John S.
M'Phail, Kil-
muir and
Stenscholl,
Isle of Skye.

I have been a minister in Skye for thirty years—twenty years in Sleat, and ten in Kilmuir—and though I do not profess a knowledge of agriculture or of the value of land, I am acquainted with the circumstances of the people temporally as well as spiritually.

As a rule, the people are moral, quiet, respectful to superiors, and law-abiding. Yet I have been of late led to think that there may not be many steps between such a desirable condition and one of disorder and lawlessness. Not only the cases of Braes and Glendale, but what I have seen on this same estate, has led me to this belief. There have been combinations among the people against payment of rent, and there have been threats posted up at the road side to deter men from settling with the factor on rent day. This course was followed from the idea that they had serious grievances for which there was no remedy, but by placing themselves in an attitude of opposition to those in authority. In the present circumstances and mood of our island population, I feel sure that a little more strain and a little more agitation would soon fan them into a state of wild confusion. This is a matter requiring the serious consideration of those who have the responsibility of governing our country.

There have been no clearances in Kilmuir during my stay in it. But before then there was very much land cleared. Men residing in the parish have named to me eleven townships that they saw occupied by crofters in most comfortable circumstances, all of which townships have been cleared, the inhabitants scattered hither and thither, and the land added to the large farms. It is the universal testimony that when the people occupied these townships, there was not only abundance of food to supply the parish, but that much produce was sold to other places.

There have been no evictions that I can remember except one at Totscor, which has had sufficient prominence given to it already. There have been many changes, however, during the ten years of my residence. Several families, finding themselves going back in their circumstances, voluntarily gave up their lands and moved away to the south. Others have been brought to fill up their places, as, for instance, from a cleared part of Uig Bay, to Borneskitag, which was already overcrowded.

On the Kilmuir estate there are none of the petty annoyances that we hear of elsewhere,—such as exacting days of work from the people, compelling them to sell their fish or cattle to proprietor or factor under market value, interfering with them in cutting sea-weed and peats, &c. The people have perfect liberty to make the best for themselves of their produce and of their time. The proprietor has done much since he bought the estate, in making bridges and improving roads—all of which has been beneficial to the inhabitants. As a Free Churchman, I feel it dutiful to say that the Free Church community have enjoyed far more freedom than existed before Major Fraser bought the estate. Sites were readily granted by him, and aid was kindly given in the building of

churches. This ought not to be forgotten by us. And personally, I can say that I have met with invariable courtesy and kindness from Major Fraser.

As to the prevailing destitution and distress, there have been many causes that have combined to make this year exceptional. But I have observed a gradual sinking of the people into deeper poverty during the ten years I have been among them. They have been becoming yearly less able to pay their way, and yearly more depressed in their circumstances. The causes of this are not to be found in any theory as to the indolence and intemperance of the people. I do not believe in any such theories, for they are as temperate in their habits as any people in Scotland, and as active too when they have any work to do. And they show this when employed as labourers in the south, as fishermen, and as tillers of their own lands.

The people naturally think that the increased rent accounts for their impoverished condition, it being, as a rule, about double what it was thirty years ago; and, no doubt, £4 or £6 of additional rent is a serious burden upon a poor family. I did, and do, regard the last rise of rent as a most unfortunate occurrence. It was untimely,—out of season. The people had been suffering from bad years, and were in very distressed circumstances, and this increase of rent coming at such a time was most crushing. It ought to be known, however, that the rent still stands at the last increase; a fourth part has been remitted for the last two years. They pay rates according to the increased rent, whilst a fourth part of the rent has been returned.

As to other causes of depression. There can be no doubt that the land from constant tillage does not yield anything like what it once did. The returns even in favourable years are very low, only two or three returns instead of eight or nine. So long as the people are confined within such narrow bounds, this of necessity must continue. Perhaps, too, in the circumstances, the people look less to the land and more to money earned elsewhere for the support of their families, and that, in consequence of this, there is not so much attention paid to cultivation as formerly. The work is hurriedly done to enable the men to get away to the south to earn money there. Then the taking away of hill pasture from those who formerly had it has greatly added to the discomfort of the people. It has deprived them of the means of furnishing themselves with clothing for day and night. This is a very painful feature in the condition of the people with which one going among them comes into constant contact. This has also deprived them of an important part of food. When they had sheep they used animal food, *i.e.*, meat once common among them, but now exceedingly rare. And it has deprived them of the use of ponies in cultivation and in carrying burdens. The poor women have, in consequence of this loss, to do much of the work that ponies did formerly, such as carrying peats and sea-weed, and harrowing the fields. Then a great change has come over the habits of the people, and far more money is needed to support a family now than formerly. Far more money is earned now, still the people are far poorer. From the poor returns of the land much of the earning goes to purchase the necessaries of life—meal chiefly. It is no unusual thing to pay a meal account of £8, £10, £12 in the year, and this in a district where, thirty years ago, it was customary to sell meal. Then there is the universal tea account and the very general tobacco account, both innovations, and both very serious items in the family expenditure. There is clothing again. Very much of the earning goes to procure clothing. The home-mades are rare now where the hill pasture has been lost. The warm, cheap, enduring cloth has been exchanged for the expensive and unsubstantial clothing purchased in shops.

V.

Rev. John S.
M'Phail, Kil-
muir and
Stenscholl,
Isle of Skye.

V.

Rev. John S.
M'Phail, Kil-
muir and
Stenscholl,
Isle of Skye.

In my view, the distressed state of our people arises as much from what I have now stated as from any other cause that can be named.

Is there any remedy for this gradual sinking of the people? There seems to be none, if matters are just to continue as they are—no remedy, but by the people dying out—their being first reduced to a state of pauperism, and then by a slow process passing away.

Emigration is proposed as a remedy, and it must come to this if there be no other; for better far the people anywhere than starving on our own shores. No one can wish to see their present state perpetuated. But, though this remedy might ultimately be beneficial to them and their offspring, I look upon it as an injurious proposal for our country. For it deprives the country of a God-fearing, loyal people, who supply our industries with so much valuable bone and sinew, our fishing fleets with able men, our Naval Reserve with competent hands, and innumerable families with valuable servants.

It is said that the land is overcrowded with people—that there are too many of them. That was said forty years ago, when the population of the parish was upwards of 4000. The only remedy proposed then was to thin the people by emigration, and that is still said to be the only remedy after 1500 of the population have been removed, and it may possibly be said to be the only remedy as long as any are left. But I have no faith in that remedy, as one tending to improve the circumstances of those who remain. I have never seen that emigration gave more room to people, though it did to sheep. The tendency has been to add more families to places already overcrowded.

The remedy I would propose is to open up the land to the people who have from time immemorial lived upon it, and who have been deprived of it. Give them larger crofts, which will keep them in constant employment. Give them hill pasture to enable them to keep sheep and horses. Give them some security against eviction and arbitrary increase of rent. Encourage them to build better houses, to reclaim the land now uncultivated, and let the system of overcrowding be put an end to. Let it be shown that a real interest is taken in them. When a croft becomes vacant, by any cause, let it be added to another croft, instead of a tenant being removed from elsewhere to occupy it. In my own neighbourhood, a year or two ago, land became vacant that was most suitable for crofters. Eight or ten families could be easily accommodated there, and they might live in comfort. Why, instead of its being added to a farm already too large, should it not be given to families in the overcrowded hamlet in the vicinity? In such ways much might be done to improve the condition of the people.

However indulgent some proprietors may be, I feel convinced that our land laws ought to be altered so as to give more security and protection to the people. The necessity of this was burnt into my soul many years ago, when I was a witness of scenes of cruel eviction in North Uist and in the south end of this island. The laws of our country ought to be such that no such scenes could ever take place, and I sincerely hope that the result of this Royal Commission will be to provide us with something similar to what has been already done for another part of the kingdom, where the people have security and much encouragement to better their circumstances by their own exertions

JOHN S. M'PHAIL.

VI

VI

STATEMENT by JAMES URQUHART of Conan and ALEXANDER M'LEOD of Scuddaburgh, Tenants on the Estate of Kilnuir, in the Isle of Skye.

Jas. Urquhart
and Alexander
M'Leod, Kil-
nuir, Isle of
Skye.

(See Evidence, pp. 81 and 126 et seq.)

We, the undersigned, having been cited to appear before the Commission at their sittings at Portree on the 23rd and 24th days of May last, and not having been heard, but having then been informed that our course was to send in a written statement as to the matters at issue, now beg leave respectfully to state our views as follows, viz. :—

1. We wish to point out that an organised agitation was got up and prepared for the advent of the Commission, which therefore did not find the district in its usual peaceable state, but apparently rather in a state of discontent—that is, judging from the statements then made, but which we the undersigned do not consider truly represent the feelings of the community at large.

Previous then to the arrival of the Commission, certain parties organised meetings of the tenantry, with a view to agitation and the allegation of grievances before the Commission. It is known that the more moderate and peaceably inclined men of the district declined taking part in these proceedings, whilst various of those who were appointed delegates did not act. It may also be noticed that many well-inclined townships sent no delegates, although every effort was used to induce them to do so. It cannot, of course, be expected that in so large and populous a district of country as Kilnuir that there should be no discontented characters; and this considering the pressure brought to bear upon them by outside and other agitators, and what these people were made to expect would be got by spinning woeful tales before the Commissioners. It appears to us that the wonder is, not that they should have stated things as they have done, but that they have been kept within any ordinary bounds at all.

As is known, at the Uig and Staffin sittings as elsewhere, the evidence was given in a somewhat easy way, no parties being placed on oath, the witnesses also being allowed to appear in court before giving their evidence, thus each one hearing what the previous one had said; all which, together with previous promptings, would more or less account for the generally similar character of the evidence given.

Then it must also be borne in mind that at Uig and Staffin there was no one present on the part of the proprietor or loyal tenantry to contradict anything said by any of the disaffected, or of those influenced to speak as they did.

Then, again, it may be imagined what was the effect produced on the minds of an impulsive people at an excitable time by the advent of one of Her Majesty's ships with flags flying, a Royal Commission on board, and understood to be freighted with all sorts of boons for all who could call themselves crofters. This no doubt helped to act at the time on the general feeling then current, that all was going in favour of the so-called crofters (hitherto known as tenants), and that it was almost hopeless at the time for proprietors or loyal tenants to express themselves, popular feeling, under the prevailing influences, being apparently all for revolutionary ideas. And may it not be asked, Was there not

VI.

Jas. Urquhart
and Alexander
M^rLeod, Kil-
muir, Isle of
Skye.

some ground for such a supposition, for who were the leaders who organised these preparatory meetings? Who were they in communication with? Who spoke at the meetings, and what was the general tendency of the subjects discussed? Were not the proposals that large farms should be cut up and divided amongst crofters, that Government should supply funds, and that grievances should be alleged, amongst the chief topics discussed?

Then, again, on arrival of the Commission were not these sittings apportioned to hearing the crofters or receiving their statements at different places in Skye, whilst only two days were apportioned at Portree to hearing the side of the landlords and their loyal tenantry, when, after all, out of said two days, a large part of one of them was devoted to hearing crofters or their delegates again; so much so, that though various parties had gone all the way from Kilmuir to Portree to make contradictions to statements made at Uig and Staffin, none but one was heard. There was no time left to hear the others. Whilst then we, the undersigned, wish most respectfully to address the Commission, we feel we cannot properly state our case without mentioning that we think much more time was devoted to hearing arguments in the shape of alleged grievances than to hearing all that might have been said on the other side.

2. As to the cause of the agitation, we believe that it was, in the first instance, due to the course of events in Ireland. So much has been done for the Irish in consequence of agitation there, that on its being pointed out by agitators to people in Skye that they had only to agitate and make disaffected statements in order to get what they might want, that surely, with such an example before them, it is no wonder if a certain number of the disaffected jumped at the bait, and went in for all sorts of wild dreams.

It has been said at Portree that the agitation was not got up by Irish agitators; but it is well known that an Irish agitator was in Skye for most of last season, as well as various others of similar type.

Indeed, it would be no compliment to Skye and the Highlands if the agitation can be put down wholly to Scottish sources. Can the sending of coffins and murderous letters, and the publication of such a work as that of '*St Michael and the Preacher*, by the Rev. Donald MacLillen, minister of the new gospel, 'Portree,' be accepted as the work of good Highlanders? It is surely to be hoped not. Whilst, however, that may be, at all events we, the undersigned, repudiate all sympathy with all those who have fermented the present agitation on such lines.

As to Major Fraser, the proprietor of our own district, that it is only about three weeks before the sittings at Uig and Staffin a memorial was sent to him signed by practically all the tenantry and others on the estate at the time.

It was in reference to a proposal to erect a new pier at Uig, and the following are extracts from it, showing at the time the feelings of the tenantry towards him:—

'We, the undersigned tenants and others on the Kilmuir estate, Skye, desire to convey to our esteemed proprietor, Major Fraser, our best thanks for the kindly interest he has always taken in everything calculated to promote our welfare, and at the same time to lay before him the views of a meeting recently held by a number of us. It was the unanimous opinion of the meeting that nothing would so much promote the interests of residents on the Kilmuir estate as the erection of a quay at Uig, for the following reasons, &c., &c., &c.

'We are the more encouraged to lay this before our respected proprietor

'as he has given ample evidence of a sincere desire to improve our position in every practical way; and by giving this matter the attention which we think its importance demands, he will add to the many benefits he has already conferred upon us, and command our lasting gratitude.'

VI.

Jas. Urquhart
and Alexander
M'Leod, Kil-
muir, Isle of
Skye.

Now we submit that the tenor of such a memorial, signed by almost all the male inhabitants on the estate above a certain age, cannot but singularly affect such statements as those made before the Commission—statements in which every possible or impossible grievance was brought forward, and not a word said in favour of what the proprietor had done for the good of his estate and the people in it, such as the construction of roads, the erection of various useful public buildings, his assistance towards the improvement of postal communication, the part the proprietor had taken in the construction of a railway to the west coast; which also, when on the subject of rents, nothing was said on the subject of practical men having been employed to value the lands, nor was any mention made of the rise in the value of stock of late years, which, it is believed, is quite equal to any increase of rent on the small tenants' holdings.

One would indeed be led to suppose that something must have occurred, as betwixt the date of the memorial about the 17th of April and the sittings of the Commission on the 10th and 11th May, to account for the difference of feeling shown by the people in their memorial, and by and by the evidence of those who spoke before the Commission or handed in statements. On inquiring, then, into what has passed during this interval as between proprietor and tenantry, it is found that the only thing worthy of special notice that has occurred during it is, that the proprietor within that time sent a cargo of potatoes and another of seed oats to be distributed amongst his tenantry at cost price, and to be repaid at Martinmas next, and on which, no doubt, he will sustain a considerable loss, as even at present we have heard that about £250 is due to him on account of about £800 worth of oats so supplied to the tenantry about five years ago.

Further, if it should be said by any agitating parties that such statements were made in the memorial merely in order to get a quay, then may it not be said with even greater force that the strong statements made before the Commission are not of great value—that is, if the ground is taken that anything may be said or done for an object to be gained thereby.

3. As to destitution, whilst aware that two or three bad seasons have had their effect, yet we think that the state of poverty necessarily accompanying the presence of a large proportion without sufficient means of employment has to a great extent been made the most of, though, no doubt, in cases here and there the pinch of poverty has been felt. But had scarcity of seed been as general as represented, the people could not, we think, be as well off as they now are, nor could the lands have been sown as they were, notwithstanding the aid given in the shape of seed corn and potatoes.

4. As to the rents of the small tenants on the Kilmuir estate, we believe they were fixed by competent persons. It is easy to conceive, no doubt, that many tenants might think them high—not an unusual thing on the part of those who have to pay; but at all events it is well known that until the late agitations were on foot, and the laws allowed to remain unvindicated in certain parts of Skye, that they were remarkably well paid.

After what has been said in the Lewis, surely the argument cannot be held up that small tenants' rents are the cause of poverty; for where can greater poverty be alleged than in the Lewis, and where are rents lower?

VI.

Jas. Urquhart
and Alexander
M'Leod, Kil-
muir, Isle of
Skye.

5. As to general improvements and alterations of boundaries, and increase in value of the lands thereby affected, no doubt when an estate is left at a complete standstill there may be less to complain about; but does it follow that such is ultimately better for the country and people than a course of suitable improvement, even though such should necessarily involve certain changes from time to time?

6. As to population, it is no doubt the case that Skye is rather limited in extent for the number in it, and there is also a want of sufficient occupation within its bounds to give work to such a population; that may to a certain extent account for so little work being done each season (except on the large farms) from November to April. Should any new works be prosecuted, such would, of course, be much to the advantage of the population.

7. As to certain replies in reference to questions put as to what the crofters have and have not, and what they would like to have, and so on, what we ask would be like replies to similar questions put by, say, a Commission appointed to inquire into the state of the working-classes and the poor in our larger towns.

8. We conclude by saying that we think more good can be done by granting assistance for emigration and useful works within the island of Skye, and by promoting good feeling and industrial occupations, than by attending to the wishes of a few agitators and discontented persons at the expense of the general good.

JAMES URQUHART.
ALEXANDER MACLEOD.

VIL

STATEMENT by Captain ALLAN MACDONALD of Waternish,
Isle of Skye.

(See Evidence, p. 155 et seq.)

VII.

Captain Allan
Macdonald,
Waternish,
Isle of Skye.

WATERNISH, October 1883.

In submitting the following statement to the Royal Commissioners I must first take exception to the evidence given before them by the several delegates put forward in this district.

Donald MacKinnon, crofter and fisherman, Halistra, stated that he himself and those he represented 'wanted more land' (Q. 2965), while last Martinmas he expressed a wish to give up part of his land, as having too much, and the 200 barrels of gunpowder which he considered necessary to demolish the stones on his croft (Q. 2989) is too absurd to notice, only to show how little regard he had to facts, considering that the whole of his croft has been under cultivation and turned by the plough.

Angus McLean, from the same township, stated that he and those he represented wanted more pasture (Q. 3056), and that they had not so much grazing behind their fence as would feed a hen. Yet at the time he was giving this evidence, and for weeks before, he had three or four cattle behind the fence referred to grazing in my pasture, and had them there for weeks after, without any charge made by me or equivalent received by me in any manner or way—and not even an expression of gratitude on his part; and I have acted in the same way towards scores of the crofters, though little was said about it.

Charles MacKinnon, crofter and fisherman, Lochbay, complained that the land in his township 'was too dear and too little of it' (Q. 3184). This man, having come from Durinish, is not likely to know much about Waternish, but being of a discontented spirit is sure to be put forward as a delegate. If he does know anything of the township in which he resides, he has concealed the fact from the Commissioners that the rental is now very much less than it was many years ago, that the hill grazing has within the last fifteen years been considerably increased, and that he and the other thirty-seven crofters have in their occupancy 305 acres arable, 57 acres green pasture, and 1801 acres hill pasture,—in all 3166 acres, for which they pay me £220. This man never leaves home and is employed all the year round on his croft or fishing; yet, notwithstanding his 'dear land and too little of it,' he pays his rent regularly and is not in arrear, and I am sure would not accept of more land if it were offered him, which I am at any time ready to do, on condition that he does not subdivide his croft. This is the first and only man in Skye who I have known to sell ling fish at two shillings each to his neighbours, which in my younger days was sold at sixpence, and now regularly sold throughout the country from ninepence to one shilling. One thing I am glad of is that I am not a crofter under him, as I have not the slightest doubt but land would then, more than now, be 'too dear and too little of it.'

I remember when this township consisted of fourteen families, while there are now thirty-eight, caused by marriages and subdivision of crofts.

VII.

Captain Allan
Macdonald,
Waternish,
Isle of Skye.

Neil MacDiarmid, crofter, Gearey, complained of the smallness of their crofts (Q. 3364) at which I am not astonished, considering that he remembers when there were but twelve families in this township, and there are now thirty-three, caused by the natural increase of the population and the subdivision of their crofts, though he was not honest enough to state so.

This delegate, in answer to a question put to him by Mr Fraser-Mackintosh as to the number of families that occupied the lands now held by me and when these clearances were made (Q. 3399-3401), stated what was not true (though I cannot think that he did so intentionally), to the effect that my father had cleared the farm of Unish of eighteen families and Scorr of eighteen more. Now the fact is, that the farm of Unish was always let to one tenant farmer, and had not been, within the memory of man, in the occupancy of small tenants until my father let it to some crofters who had left or had been removed from the parish of Bracadale, giving it to them till such time as they could provide themselves elsewhere, which some of them did in about twelve months, while some went to America, and as their numbers were reduced the remainder were removed to Scorr, part of the lands in my father's occupancy; and Scorr was not cleared by him as stated by MacDiarmid, for it was a considerable time after my father's death, and after I had been for some years in possession, that some of the crofters at Scorr expressed a wish to remove from there to Gillin, part of the lands in my occupancy, alleging that there was a mortality among their younger children at Scorr, and it was *only then* that they changed from the lands of Scorr to those of Gillin, receiving the latter at the rent they themselves offered. Yet this is erroneously represented to the Commissioners as 'clearances' made by my father, whereas he actually conferred a great favour on these Bracadale people in giving them the farm of Unish when they had no place to go to, until they could provide themselves elsewhere, as they had no claim whatever upon him for lands, being from another parish, while the statement that he cleared Scorr of eighteen families is entirely without foundation, as they were there eight or nine years after my father's death.

I may add that the crofters hold from me at this moment a much greater extent of land not before in the occupancy of crofters, than I hold which was formerly in the occupancy of crofters.

The delegates M'Leod (p. 179) and M'Nabb (p. 181), from the township of Gillin, complained that they and those they represented were very poor, and that the land does not yield them a living, and that they are now poorer than when they came there.

If such be the case, I can only say that it is no fault of mine, for the crofters in this township before entering into possession, had several consultations, after which they deliberately came forward and made me an offer for it, and I said not a word *pro* or *con* in the matter but accepted their own offer.

Alexander Morrison, who appeared as one of the delegates for the crofters of Forsaviehu, (though I am told by the crofters themselves that he was not put forward by them), stated 'that it was not for men that this township was created at all, and that he had a very bad bargain of the land' (Q. 3542).

There are six crofters at Forsaviehu, and they pay a rent of £9, 3s. 4d. each. I had occasion a short time ago, at the request of the other crofters in the township, to procure a salesman for them at Inverness in order to dispose of their regular cast of sheep, which consisted of forty-eight wedders and eight ewes. I did so, and the account of sales was sent to me, which realised £65, 17s. 6d.

Morrison's share of this sum would be	£10 19 7
Morrison sold three stirks, the proceeds of his black cattle stock, for which he got	12 10 0
His share of 37 stones blackfaced wool, at 8s. 6d. per st.,	2 12 5
His crop, say	10 0 0
	<hr/>
	£36 2 0

VII.

 Captain Allan
 Macdonald,
 Waternish,
 Isle of Skye.

Add to this the average wage which they make when absent at the east coast fishing, or trenching at home, at the rate of 3s. per day,	18 0 0
	<hr/>
	£54 2 0

From this falls to be deducted—

Rent, £9, 3s. 4d.; rates, 16s. 9d,	£10 0 1
Share of herdboy's wages,	2 10 0
Share of smearing,	2 0 0
	<hr/>
	14 10 1

Leaving a balance in his favour of	£39 11 8
--	----------

They besides sell horses, and it appears to me that the township was 'created' for bipeds as well as quadrupeds, and I hope Morrison may never have a worse 'bargain.'

Murdo M'Lean, who appeared as another delegate (but who the crofters say they never put forward), made a statement which was untrue throughout (p. 184).

I did a good deal for the crofters in this township. I gave them when they entered into possession 169 blackfaced ewes, 50 ewe hoggs, 69 wedder lambs, and 64 ewe lambs, for which they have not yet paid me. I voluntarily gave them from one shilling to one shilling and twopence per rood of six yards for trenching their own land, without charging them any interest or increasing their rent in any way, and they acknowledge that they could earn three shillings a day when so employed. I also gave them two years' rent in order that they should build good houses for themselves. Yet nothing that I have done appears to have been appreciated.

I must here refer to a statement made before the Royal Commissioners at Glendale by John Macpherson, who said that my father had 'evicted ten or twelve families from Waternish, and that the land in this case was let under 'deer' (Q. 6506, line 13). I must give my unqualified denial to this statement, there being not a word of truth in it.

In order to try and develop the ling and cod fishing, my father offered to let the island of Isay to ten or twelve fishermen at an annual rent of so many tons of fish, the required number offered themselves (I think from the lands of Glendale), and occupied the island for a few years, but not succeeding with the fishing, and having no peat or fuel on the island, they returned to the district they had come from, and my father stocked the island as formerly with sheep and cattle. This occurred nearly forty years ago, and the island continues to be so stocked. A few years ago I put eleven fallow deer there along with the cattle, and this M'Pherson now represents to the Commissioners as an eviction of tenants by my father and the land being let under deer.

All I hope is, that the rest of M'Pherson's evidence is more reliable than this statement, which is but an ingenious perversion of facts.

I deny that either my father or myself at any time evicted tenants from

VII.

Captain Allan
Macdonald,
Waternish,
Isle of Skye.

Waternish, except a few individual cases now and again for misdemeanour. Crofters have occasionally been removed from one township to another, and to their advantage, for they themselves have frequently stated it as a grievance before the Commissioners that they have been so long in the same township that the land has become exhausted and yields them no return for their labour. Yet, if they are removed to any other township, where the land is more productive, they too often give that even as a grievance and a case of eviction.

I regret to observe that they have stated before the Commissioners that they are not now so well off as they were, which I am satisfied is not correct, as I myself remember the time when they were not in a position to buy even a bag of oatmeal, and when south country meal was not known in the district, and when they and their families subsisted for the greater part of the summer on shellfish, which they never use now, but require a steamer to call in here once a week with their supplies of oatmeal, flour, loaf-bread, tea, and sugar. Besides, many of them have money in the Portree bank, as I myself have been the medium through whom it has been lodged there. Such a thing was unknown thirty or forty years ago; and when the Scotch banks became Limited Companies, the number of circulars to depositors in the district was far in excess of what I could have imagined, and even astonished the letter-carrier. Many circumstances favour them now—prices of stock have improved, and stirks or young cattle, which I have seen them sell at £1 and 30s., they now sell for £4 and £5; they get double the price for their fish that they used to do, and four times the price for their eggs, while the crofter who has got no sheep can buy wool at less than half the price it sold at in 1818 when the Inverness Wool Market was first established. Still the crofter who has got sheep suffers no loss, because of the increased value of the carcass. With this rise in prices the rents here remain the same that they were forty years ago, so that if they managed to live then, they can surely manage to live better now; but as they have stated to the Commissioners that they are not so well off now as they were, I am quite ready to restore them to the same lands at the same rent and the exact position in which I found them, and that at Whitsunday first.

No doubt there is still room for improvement, and the small crofter with his lot and cow (the result of the subdivision of land) should be abolished, for he is at best but a pauper, and lives a life such as no other class of labourer does; he is idle for six months in the year—from the time he returns from the east coast fishing until he commences the cultivation of his croft in spring—and no other labourer could exist under similar circumstances, while it is impossible on a small estate with thousands of poor people to give them employment. So that the fishing is the only industry open to them, which they cannot prosecute successfully with their small boats, and even if they had larger ones, they have no piers or boat-harbours where to keep them.

All crofters should have hill ground, and should depend upon the produce of their stock and not on that of their croft, for this is essentially a grazing country and in no way suited for cropping. Each crofter should have from £20 to £30 worth of land, and those who could not enter on such a holding should be assisted to emigrate, for those who cannot produce more than they consume are a burden to the state, while those who can produce more than they consume benefit the state.

The crofters, in response to paid agitators, have, to a man, asked for 'more land,' yet they all say that it is too dear, and people don't generally press for what they consider too dear. The crofters here, have about 5000 acres of land, for which they are supposed to pay me an annual rent of about £500, exclu-

sive of rates ; but, on the other hand, I am called upon to pay annually on my whole income from £202 to £220 of poor and school rates alone, besides other assessments applicable to crofters, reducing the rent they pay me nearly one-half ; while, if the crofters in the parish were in such a position as I have suggested, having from £20 to £30 worth of land, there would be no such assessments, and the proprietor would get a fair rent, which he does not now, the crofters themselves would have few or no rates to pay, and the country would be benefited to the extent of what they would produce over and above their own consumption ; then leases might be granted with advantage where crofters were comfortably situated and fairly distributed, but would be worse than useless in overcrowded districts where indulgent landlords have allowed them to subdivide and cut up their crofts into small patches.

No doubt, all this land cry has been got up by outside agitators and by paid agents, who have little or no interest in the crofters, for the crofters as a class were never so well off as they are at this moment ; but there are amongst themselves designing men, who encourage this agitation for their own selfish ends, and so it goes on—men who have a little money, and by agitating and getting more land, put more stock upon it than they are entitled to, at the expense of their poorer neighbours who cannot stock it, and by this means reap the profit of the land for which their poorer neighbours pay. To prevent this, club farms should be established in all townships, and would tend to stop this agitation, as by that means the whole stock would be under the control of three managers chosen by the crofters themselves out of their number, and then no man could have more than his neighbour.

ALLAN MACDONALD.

I must here take notice of a statement made by the Rev. Mr Johnstone (Appendix A. VIII. [3]), which surprised me, to the effect, that I had 'deprived 'one of the very best men in the neighbourhood of his lands, because he would 'not go to hear the lay preacher approved of by me.' This is absurd, as it was no business of mine where the man went to, and I must distinctly state that I never did anything of the sort, and to be plain, that the statement is nothing short of a pure fabrication.

When Mr Johnstone will be candid enough to state the name of 'one of the 'very best men in the neighbourhood,' and the particular case which he refers to, I shall be obliged to him.

I think it is to be regretted that the evidence taken before the Commissioners was not taken on oath, as all parties would then be more likely to adhere to facts, for in this district alone, where the delegates were not so extreme in their demands as in other places, and where, perhaps, they were more moderate in framing and relating grievances, yet those of them who descended to particulars made such erroneous statements, that if they will before a magistrate prove them on oath to be true, or that my statements in reply are untrue, I shall bind myself to pay each of them a year's rent.

ALLAN MACDONALD.

WATERNISH, PORTREE, SKYE,
4th February 1884.

VII.
Captain Allan
Macdonald,
Waternish,
Isle of Skye.

VIII.

VIII.

Rev. D. Johnstone, Water-nish, Isle of Skye.

STATEMENT by the Rev. D. JOHNSTONE regarding the Parish of Water-nish, Isle of Skye.

(See Evidence p. 155 et seq.)

WATERNISH, SKYE,
1883.

I have been now eleven years minister of this parish and so am well acquainted with the condition of the people. That condition is most deplorable and calls loudly for redress. As to the people themselves, they are not in the least lazy, but most industrious, hard-working people, and with a little fair-play would make the finest peasantry in the world.

It is needless to inquire how they came to their present state, the remedy for the present state of matters is what the Commission have to deal with.

1. The first remedy I would propose is to give the small tenants, *i.e.*, all paying under £20 of rent, *fixity of tenure* at a fair rent fixed by a practical man on the side of the landlord and another on the side of the tenants, with, if desired, an oversman in the case of disagreement.

The advantages of fixity of tenure would be :

(1) The crofter would build a *better house*—the houses of the people here are perfectly disgraceful. When remonstrated with, as I have often done, that they don't build better houses, their answer is that they can't tell how soon they may be removed from their present holdings and sent elsewhere, and so their labour would be in vain.

(2) The crofter would drain and improve his land if he knew that he was not to be disturbed till he reaped some benefit from his work.

(3) It would give the people a spirit of independence they never can have under the present system, which is a relic of feudalism, and when the landlord is as the old chief, when there was "no oath but by the Chaplain's hand, no law but Roderick Dhu's command."

The landlord of this parish, who is not more guilty than others of evicting, deprived one of the very best men in the neighbourhood of his lands because he would not go to hear the lay preacher approved of by the landlord.*

(4) It would relieve the crofter of the work asked to be done for *nothing* if there was fixity of tenure.

From my window I can see a lot divided into two parts, and the crop off this said lot is only two small streaks of corn, when the landlord asks and gets 23 day's work from these two individuals over and above their rent and taxes. That I consider complete injustice.

(5) It would relieve the crofter of being bound to sell his beasts to the landlord at the price he thinks fit to give, not the market value of the animal. I was present at the meeting of the Commission here on the 14th May last, and was surprised that the people said the ground-officer gave the market value for what he bought—I knew it to be incorrect and given so through fear, as said ground-officer was present all the time taking notes of what was said. The delegates got a sound scolding from their neighbours when they went out for not speaking the whole truth.

See Appendix A., VII., p. 21.

2. Another remedy is to give the small tenants an extension of their lots. This can so easily be done that it only requires the landlord and ground-officer to spend two or three days at the work and it is done.

Every crofter ought to have as much land as to keep three cows, and a horse between two of them. A horse each is not in the least necessary. Any man of skill could easily tell what land would be necessary for his stock.

A stock of three cows and a horse between two of them, with fixity of tenure, I am certain would make the Highlanders as happy as the day is long. In some cases sheep could be kept, but it is not practicable in every instance.

Now I may be permitted to say here, that these reforms are urgently needed—the murmurings of the people are loud and deep, and they have great cause of complaint. I could give pages to show this, but it is not necessary.

3. Another remedy is to give the people the sea-ware to help to manure the land. I have been in four or five different parts of the Highlands, and never heard till I came here of the people paying for the sea-ware. I would ask who gave this stuff to the landlords? It must have been given them by some musty Act of Parliament. Now it is this sort of legislation that gives the handle to the agitator.

Away with such an Act of Parliament! Let an Act be passed that the sea-ware and the shell-fish belong to the people, and not be sent to jail for gathering a few whelks. If I was a Highland landlord I would blush to let it be known that I exacted 9d. or 1s. or 1s 6d. from a poor man for what was never sown or planted by me.

The people complain very much of the taxes, the school-rate is 2s. in the pound. If the Board did its duty, it would be less than the half of that. The compulsory claim is a dead letter.

My opinion is that the people injure themselves by their giving to the Free Church collectors—this too very much helps to impoverish them. Some of them are so much attached to the F. C. that they deny themselves and their families the necessaries of life to give to the F. C. minister.

The fishing could be very much more vigorously prosecuted here if there was a breakwater or some shelter for their boats against the storms of winter—that too ought at once to be put right.

D. JOHNSTONE.

VIII.

Rev. D. Johnstone, Water-nish, Isle of Skye

IX.

STATEMENT by MACLEOD OF MACLEOD.

(See Evidence, p. 185 et seq.)

DUNVEGAN CASTLE,

9th July 1883.

IX.

MacLeod of
MacLeod,
Skye.

Having purposely avoided appearing before the Commission, in order that the crofters on my property might feel quite free to say what they pleased, I should now be glad to offer a few observations for the consideration of the Commissioners. They will, I hope, attach some weight to my views, when I mention that from 1835 till 1848 I resided almost continuously in Skye. I was my own factor for some part of the time, and was always in very intimate and friendly communication with the people, both crofters and cottars.

With the result of the inquiry in Skye I think the proprietors have no reason to be dissatisfied. For some considerable time there have been agitators in every corner of the island, circulating the most communistic doctrines, and endeavouring to set tenants against their landlords. Wherever the Commissioners have held meetings, they have been preceded by men who have not only sought to influence the peoples' minds, but have put the very words into their mouths which they were to say. They have told them carefully to avoid mentioning any kindness they may have received at the hands of their proprietors, and to make out their condition as one of the greatest misery and hardship. Under such guidance, which I think it was very unfair to exercise, and in great contrast with the conduct of the proprietors, who wished the crofters to speak openly and freely, it was natural to expect a very dark picture. It is not indeed in the nature of mortals to be satisfied with their lot, if they are told by men of a class above them that they have been unjustly treated, and I do not blame in the least our people for listening to advice which promised an amendment in their condition. When people are invited to relate their grievances they are sure to have some to relate; for there is no class of men obliged to work for their living, or indeed any class of men, who have not grievances of some sort. It appears to me therefore eminently satisfactory to find that the delegates have been mostly obliged to search for grievances in times long gone by, and have misrepresented these, as they were pretty sure to do, when in ignorance of all the circumstances attending them. As to the present time, which is really the important question for inquiry, there seems to exist no substantial cause of complaint of ill treatment on the part of the crofters. They have just had indeed an exceptionally bad year, and every one has been glad to help them. If in a good year they were to complain, it would in my opinion be because they have no means of comparing their lot with that of others of the same class in England or in foreign lands. They have, however, now had the opportunity of stating their case, and it will be for the Commissioners to judge whether the grievances they complain of are greater or less than those which exist among all similar classes elsewhere, either in agricultural districts or in large towns.

Their case, as stated by themselves, appears in substance to be, that the crofts are too small, and that there are many large farms in the island held by tacksmen, which they would wish to occupy. The wish thus expressed is very natural, but I draw an inference from it, to which I should be glad to direct

the attention of the Commissioners. One witness at Edinbain, when asked where lands could be got, replied that there was plenty of land in Muiginish and Bracadale, showing that the people have no objection to remove from one place to another, and that the hard word "eviction" has often been improperly used, to describe what was not eviction at all. If removal from one place to another can be properly called eviction, I myself may be charged with eviction under the following circumstances:—In the year 1843, the fine farm of Glendale, which then belonged to me, but was afterwards sold by my creditors, fell out of lease; and as Poltiel was one of the best fishing stations in Skye, and much of the land very good, being considered the granary of Durinish, I determined to place crofters in it, there being at that time none except at Holmsdale.

I had the land carefully valued by competent persons, who fixed the rent according to the number of cows each township was estimated to keep. The scheme was hailed with great satisfaction by crofters, and with special approval by an advocate of theirs, the Rev. Roderick MacLeod, at that time Free Church minister of Snizort. I received a great number of applications, each applicant stating at my request how much rent he could afford to pay. One of my objects was to make some of the crofts, which were far from the fishing station, large enough for families to live comfortably on without going elsewhere for work. Accordingly in Lavricle, which has 96 Scotch acres of arable land and 1666 of pasture with a bold and rocky shore, I placed ten families at rents of £12 each. In Ramisaig, which has 128 Scotch acres of arable and 1055 acres of pasture, I placed twelve families at rents of £10, 10s. each. In the case of these two glens it was difficult to find tenants who had the means to stock the ground. Ultimately, however, I obtained the required number, of whom some came from Bracadale and some from other places. With the two Milovaigs I dealt differently, being of opinion that the holdings should not be so large as to make the occupants independent of fishing, the crofts being near the landing place at Poltiel. Accordingly fourteen crofters were placed in Outer Milovaig at rents of £4, 4s. each, with 132 Scotch acres of arable and 386 of pasture; and sixteen in Inner Milovaig, fourteen at rents of £4 each and two at £6, with 115 Scotch acres of arable and 461 of pasture. Of these many belonged already to Holmsdale in Glendale, and some came from other parts. I have been particular in describing this experiment of mine, because I understand I am blamed for it now. I cannot, however, see that I deserve to be blamed from the crofter's point of view, and I never heard a complaint from any of them. Changes no doubt have taken place since, and the population has probably increased, as it always does unless sternly checked. Of this, however, I cannot speak personally, as Glendale is no longer mine.

I cannot tell what importance the Commissioners attach to the statements of the delegates from townships on my property. I must therefore trouble them by referring to the evidence of one of the Kilmuir delegates. He says 'his father was evicted four times 48 years ago to make room for sheep and 'deer.' I understand he was removed in my father's time, but not evicted; and as to deer, the word could only have been used as part of what he was advised to say, as I have no forest. This delegate also said that 'the people of Kilmuir would starve if they did not go elsewhere for work.' It so happens that scarcely any Kilmuir man goes away in search of work. Many of them are tradesmen earning good wages, and I give continuous work at 12s. a week to a number of labouring men. It is quite true, however, as the witness

IX.
MacLeod of
MacLeod,
Skye.

Evidence, Q
3901.

IX.
MacLeod of
MacLeod,
Skye.

says, that Kilmuir is very crowded. The place is much sought after, and the difficulty is to refuse admission to the many applicants. Reference is made by him to a particular case in which one of the crofters agreed to give to another a small part of his croft. The land was worth five shillings a year, but the new settler was afterwards allowed to erect a good house upon it, and was therefore required to pay the usual price of a stance. With respect to the general question of crowding, the fact is that when any place becomes too crowded, the fault rests with the people themselves. The children remain at home, the boys pressing for a portion of the croft, and the girls marrying men who are sometimes admitted likewise.

I do not observe that any complaint has been made by the crofters on my property that rents are too high. That they are very low indeed will be seen from the fact, that while crofters' rents are either lower, or about the same as they were fifty years ago, tacksmen's rents have risen with the advance in the prices of cattle and sheep. The following list gives the rents of crofters and tacksmen at the different periods, the boundaries being the same :—

Crofters.

	1833.	1853.	1883.
Herrebost,	£50	£49	£44
Gorip	50	50	47
Roag,	100	98	93
Kilmuir,	100	90	97
Harlosh,	139	137	108

Tacksmen.

	1833.	1853.	1883.
Rhundunan,	£1000	£1300	£1800
Talisker (in 1847 an old lease fell in),	520	1020	1575
Drynoch,	610	835	1260
Totharder,	90	116	140
Feorlick,	260	320	465
Claigain,	480	514	700
Uiginish,	149	153	225

I should also like to call the Commissioners' attention to the fact, that not only are the crofts lower rented in proportion than the farms, but in the same interval the crofters have been relieved of burdens on their labour. Since I inherited the estate they are no longer required to give six days' work annually, or 4s. in substitution for it in road-making. They are also no longer bound to give four days' work for cutting and stacking my peats. They have indeed two new charges, which they were not burdened with in my early days, but these are the result of legislation. In 1847 the Poor Law was introduced, and the crofters now pay 1s. in the pound of rent. In 1872 the Education Act passed into law, and the crofters have to pay 1s. also. I may perhaps say incidentally that both these laws have worked badly in the Highlands. The poor law has introduced generally a very heartless feeling among the young towards the old and helpless. The conduct of the people towards their relatives was formerly kindhearted in the extreme. Since then many try to get rid of burdensome relations, and the kindly feelings that should bind families together are not what they once were. The Education Act caused a number of new schoolhouses to be built in central

situations, and displaced the small but well managed schools which had been established in each village. The result is, that whereas the crofters paid next to nothing for the schooling of their children, and left them at school till they were 17 or 18, they now withdraw them as soon as the law allows in order to save the fees, and their children soon forget what they had learnt. But there is another evil in the present arrangement. Many of the children have a great distance to walk from their homes to the nearest school, and it would be hard to force them to go during our frequent storms of wind and rain, for they would have to sit in wet clothes and shoes. Hence a very bad average attendance, insufficient grant, and increased school-rate. The people complain much and justly of these changes.

I should wish now to lay before the Commissioners my own opinions on the present condition of the crofters, and I at once state most unhesitatingly and emphatically that they are much better off now than when I first knew them. They live better, that is, they live more expensively; and if the captains of steamers who bring the goods, and the merchants who sell them are asked, they will tell you that the people now use bread of fine flour, and prefer it to oatmeal; in place of molasses, they buy the whitest of sugar, while tea of the best is so largely consumed as to have become indispensable to them. Tobacco was always a coveted article, but in my early days it was beyond the means of many. It is now used to a far greater extent. The people are also much more expensively clothed than formerly. They buy a superior description of cloth, and they are all provided with good boots. I remember in old times asking why three brothers did not all come to work together, and the answer was there was only one pair of brogues in the family. I am sure it will not be denied that the women spend a great deal on dress, which they could not do in former days. These great changes for the better in the condition of the people are most satisfactory, but can only be accounted for by their possessing more money, and the question is how they get it? The answer is, first, that their labour is worth double what it was 40 years ago; and, secondly, that the facilities of going where remunerative work is to be had are very much increased. Some go to the East coast for the herring fishing, others to the South. They return home again having usually earned money enough to keep them without work through the winter. It is certainly to be regretted that there is no continuous employment for them at home, but even if they possessed much larger crofts they would not be able to live so well from them as they do now partly from land and partly from labour. No crofter can possibly in this climate live as well as he now does from the proceeds of his croft alone, however large. When I lived at Dunvegan I farmed largely and experimentally. I tried wheat, barley, and many varieties of oats. Wheat never ripened at all, the returns from the best oats was never large, and always inferior in quality. I have often seen the stocks out in December saturated with wet and almost worthless. My experience is that the people should grow oats chiefly for the straw, as they can buy oatmeal cheaper than they can grow it. In my opinion no extent of arable ground will ever pay a crofter in the climate of Skye under grain; and to keep horses to plough it, as I see many wish to do, would be very unwise, as the horse is an expensive animal. In place of the caschrome they should use the spade. I am quite satisfied that in our wet climate the cultivation of the soil should be restricted to potatoes and oats, the latter sown sparingly; and the evidence of all the crofters as to the small quantity of meal they get, is the best proof that I am right. They might indeed have better crops, if they would imitate their ancestors in the manufacture of a midden. This they utterly

IX.

MacLeod of
MacLeod,
Skye

IX.
 MacLeod of
 MacLeod,
 Skye.

neglect, and the soil for want of manure becomes impoverished, which is a pity, though I am convinced, however well manured the land might be, it would cost them more to grow a boll of meal than to buy it. The result, therefore, at which I arrive is that the only increase of land that would be of use to the crofters would be to add to their hill pasture, so that they might keep more cattle and some sheep. The difficulties, however, in the way are very great, I should say insuperable. In the first place, where are the crofters as a body to find the capital by means of which to put stock on the ground and to build houses? No sane man would advise a crofter to commence farming on borrowed money. Here and there, no doubt, some crofter may have saved a hundred pound or two, but if he possesses means I think he would surely rather take a farm alone, than weight himself with other men in the township whose possessions in cattle were either small or nothing. A second difficulty that presents itself is that crofters with many mouths to feed cannot collectively or individually pay so high a rent for hill pasture, as the farmer, who, setting aside the question of capital, has the skill of a life's profession, and the freedom of action as to buying and selling, which does not exist among the many. The Highlanders have plenty of cleverness, and they would, I am certain, faithfully endeavour to fulfil with integrity and honour any obligation they had undertaken, but I do not believe they could pay the rent for grazing which a farmer can and does pay. Nor could they produce as much beef and mutton either in quantity or quality. The ground is already fully stocked; it can hold no more; and the crofters would, as I have already shown, labour under much disadvantage in comparison with the tacksmen. It will therefore be seen that to enlarge the crofters' holdings would certainly reduce the value of the land, besides which I do not think the change would be of general advantage to the crofters themselves; for if universally adopted, it would assuredly in a great measure put an end to the fishing industry. It would encourage small droving, which has ruined many a middle-class man in Skye, and it would increase subdivision, which has caused so large an increase of population in the island. I happen to have seen in Austria the unfortunate result of peasant proprietorships producing, in the short period of 35 years, extreme poverty through the subdivision of lands, and usurious loans which are always pressed on those who have security to give, and that in a climate and soil far superior to those of the Isle of Skye. I am confident that, if the Commissioners could see the state of those poor peasants, they would concur with me in thinking that the Highland crofters' condition is far to be preferred.

In concluding this paper, I think it is only fair to myself (for every man values the good opinion of others) to notice the taunt which I understand has been freely used against me by some of the agitators, that I am a non-resident proprietor. That I have been so, except for the six weeks of my summer holiday, is indeed true, but the cause is well known, though perhaps not to the Chairman of the Commissioners. The famine years of 1847 and 1848 found me at Dunvegan. Every morning, when food became scarce, hundreds of people awaited my appearance at the Castle door. I had at the time large supplies of meal for my workpeople, but these were soon exhausted, and I went to Aberdeen for more. I only did what every other man similarly circumstanced would have done; but the strain was too great, and although largely aided at first by many friends and afterwards by the Government, I was myself utterly ruined, and forced to get work in London, and to live there.

MACLEOD OF MACLEOD

X

STATEMENT by the Rev. ARCHIBALD CLERK, LL.D., Minister of the
Parish of Kilmallie, Inverness-shire.

(See Evidence, p. 185 et seq.)

KILMALLIE MANSE, FORT WILLIAM, N.B.,

24th October 1883.

X.

Rev. Archibald
Clerk, Kil-
mallie, Inver-
ness-shire.

In answering the queries which you have sent me, allow me to say that I was minister of the parish of Duirinish in the years 1840, 1841, 1842, and that I then wrote an account of the parish, which was published in the *Statistical Account of Scotland*, 1841. Thus I have beside me the statements made regarding matters which were before my eyes at the time, and do not depend on memory alone for what I am about to submit to you.

In regard to the general condition of the crofter population in Duirinish, it was poor and distressing beyond anything which I had previously seen.

The dwelling-houses were dark, damp, and very filthy. The main door led into the byre, where the cattle—some of them tied in a very primitive manner, others running at large—were kept. There was no drain to carry off the liquid. All the manure was allowed to accumulate for four or five months, until it was carried out to be laid on the land. It sometimes rose to a height of two feet above the level of the next apartment, the kitchen, which often formed the only one for the family. On descending to this apartment very little furniture was to be seen. The seats generally consisted of two or three stools made of wood; round stones, and pieces of dried turf. There were two openings in the wall. In these I have occasionally seen panes of glass. Generally, however, one of them was stuffed with straw or ferns, while the other was kept free for the admission of air and light, this being regulated by the direction in which the wind blew. The rafters forming the roof were always laid on the inner, instead of the outer edge of the wall; consequently, the rain, entering the top of the wall, was continually oozing through, keeping the house in constant damp.

The food of the crofters was scant and poor. Some of them had a small supply of oatmeal, and their cattle gave them milk; but their chief dependence was on potatoes and fish,—often on potatoes and salt. Their clothing was very coarse, and personal ablution was not much practised by them.

Their mode of tillage was most unprofitable. I have often seen oats sown for three, sometimes for four, successive years in the same spot, during the last two of which there was scarce any return except a small quantity of straw; and the land was thus rendered utterly unproductive for years afterwards. At the same time potatoes were planted in the same patches year after year. It would be easy to follow at least a two years' shift, but this was rarely done. I have seen in Glendale the furrows drawn right across the face of sloping ground, and thus, by preventing the downward flow of the water, turning good land into a puddle.

The agricultural implements, if they deserve such a name, were most unsuited to their purpose. The *cas-chrom*, unwieldy in itself, and merely

X.

Rev. Archibald
Clerk, Kil-
mallie, Inver-
ness-shire.

scarifying the ground, was preferred to plough or spade. The ground was harrowed often by a hand-rake, and sometimes by a larger harrow with wooden teeth. Hay was gathered with a forked stick, or with the hands alone. It is needless to state that land thus treated did not yield a sixth of the produce which it would return under good culture.

These remarks apply to the crofters who held their lands from the proprietor, paying from £2 to £8 or £9 annual rent. But there was a very numerous class known in Skye as 'lottars,' elsewhere as 'cottars,' who held a house and a very small patch of land from a farmer or a crofter. These paid no money rent, but were bound to give labour to those who allowed them a house stance. Their condition was far beneath that of the crofters, and the great heaps of shells constantly to be seen before their doors gave painful evidence of the abject poverty in which they were sunk.

The daily wages given to labourers were 1s. 6d. in summer, 9d. or 10d. in winter. Female servants got from £1, 10s. to £2 in the half-year; and, as a proof of the barbarous manner in which both servants and labourers were sometimes treated, I may mention what was no uncommon practice for a farmer in dining those who were engaged in his harvest work. A huge quantity of boiled potatoes were put into a cart with a proportionate supply of salt herrings thrown on the top of the potatoes. These were driven to the field, and shot out on the grass in piles here and there according to the number of the reapers.

It is right also to mention an extraordinary waste of time and labour which I have seen in the cutting of peats. In other places a man cuts the peat, and lays it off his spade on a barrow placed conveniently to him on the bank. Two 'spreaders' carry this away, and 'spread' the peats on the drying ground. In Duirinish three men were employed at each spade, and gave occupation only to one party of 'spreaders.' One cut the peat, another lifted it up on the bank, while a third reposed himself on the ground, ready to relieve either of his companions when exhausted with the hard toil!

It may be asked whether anything was done to improve the wretched condition above described. I am sorry to say that I never heard of anything being attempted beyond relieving cases of individual want. In this both landlords and tacksmen were very liberal, and the crofters were ever ready to help one another according to their power. In 1837 such scarcity occurred, owing to failure of crops, that public aid was sought and found. Thousands of pounds were distributed in meal, &c., &c., throughout the islands, and portions of the mainland; but this aid was most injudiciously given without exacting labour in return, consequently its ultimate effect was to lower instead of raising the character of the people, producing a spirit of dependence and beggary among them.

In case you may think my statements in any degree exaggerated, I beg leave to refer you to the accounts given of the other parishes in Skye, in the *Statistical Account* already referred to. The Rev. Roderick Macleod, a man revered—I might almost say worshipped—by the islanders, says of the parish of Bracadale, in which he was minister:—'As to the food of the people, they are generally considered not ill provided for who can feed on potatoes and salt, and during the last season even that would have been a luxury to many of them.' Again, as to their clothing,—'There were found in the parish 140 families who had no change of night or day clothes.' Mr MacGregor, well known for accurate statistical knowledge, writes of Kilmuir, which used to be called 'the granary of Skye,' and gives a woeful picture of its condition. He says, 'the

lotting system has ruined the country; and so it is in every parish throughout the island. The same sad tale is told—an overcrowded population steeped in poverty; no public employment; the land miserably mismanaged; education in a backward state; fears of famine entertained; and emigration recommended as affording the only prospect of relief.

As to the present condition of Skye, I have always understood that the extensive emigration which followed, when the great famine of 1846-47 actually came, did much to relieve the pressure on the means of subsistence; and that the island has to a considerable extent shared in the general progress of the country, so that the state of the people is now by many degrees superior to what it was in 1840. But not having visited Skye for many years back, I cannot speak from personal knowledge; nor is this of any consequence, as the Commissioners have so recently seen the state of matters for themselves.

I am asked in the second place to describe the condition of families who have emigrated. In doing so I confine myself to those who have gone from the parish of Kilmallie, as it is of these alone I can speak with certainty.

In 1844, when I became minister of the parish, the population was very numerous, upwards of 5000; and many of them were very poor. The potato failure in 1846 brought matters to a crisis. The proprietors and tacksmen gave liberal aid, but it was the public relief fund which really saved the people from starvation here as elsewhere. In Kilmallie there were 800 people who received of this fund, which, fortunately, was given only in exchange for labour. At this time the gold-fields of Australia opened a door of relief; and in the course of a few years more than a thousand persons from this parish went to Australia. Several of these have maintained a correspondence with me, and I am well acquainted with their circumstances.

I specially mention one man, who died two years ago, and concerning whom a long laudatory article, published in one of the Sydney newspapers, was sent me. John Cameron was a crofter in Trieslaig, paying £7 of rent. He had a family of seven children, all grown up, and all, like himself, of the highest character. He took about £50 of capital with him. He and his family kept close together, and at the time of his death possessed among them land and capital more than double the value of the estate on which he had been a crofter; and, let me add, in striking contrast to this, that two of his neighbours, men of as good character as he, who stuck to their crofts, both died paupers.

I remember another man on the Lochiel estate, who, owing to various losses, became absolutely poor. He had a numerous and very good-looking young family. He emigrated in 1850. He died last year, leaving 800 acres of good land to his family. His daughters have made good marriages. One of them drives her carriage, and all of them, sons and daughters, are comparatively wealthy.

These are, undoubtedly, exceptional cases, but I pledge myself to the accuracy of the following statement. Every one who has devoted himself to land work, whether agricultural or pastoral, and conducted himself with ordinary propriety, is in highly prosperous circumstances, or has left his family in possession of free land and stock. I have known of several going to the 'diggings' and to public-houses. Few, if any, of these have done well, but those who stuck to land have thriven most remarkably.

In regard to emigration, I hope you will allow me to state that it has conferred very great benefits on those who remained at home, as well as on those who have gone away.

X.

Rev. Archibald
Clerk, Kil-
mallee, Inver-
ness-shire.

X.

Rev. Archibald
Clerk, Kilmallie, Inverness-shire.

1. The successful emigrants were wonderfully kind to the friends left behind. I had it from the late bank agents in Fort-William—Mr Thomas MacDonald and Mr James MacGregor—that for some years, when the Australian gold-fields were in full operation, a sum exceeding £3000 was annually sent through their hands from Australia, not for Kilmallie alone, but for the district of which Fort-William is the centre; and while I am sorry that this rich stream has greatly diminished in flow, there are still regular remittances coming from Australia to Lochaber. Let it be stated, to the credit of the emigrants, that many who left home deep in debt sent full payment of all their obligations shortly after being settled in Australia.

2. The lessening of the supply of labour naturally increased its value, and day's wages have risen from 1s. 6d. to 3s. a day.

3. Further, the landowners have adopted strict and proper measures for preventing an undue increase of population, measures which unfortunately seem to have been utterly neglected in Skye and in Lewis. Sub-letting or 'lotting' has been absolutely prohibited, and vacant crofts have been added to the neighbouring ones. It has been a special advantage to Kilmallie that the late Lochiel wiped off all the crofter arrears—£1300—which had accumulated during the years of destitution, and also reduced the rents by 20 per cent.—a reduction which his successor has not disturbed; and it is proper to state that the above extensive emigration was voluntary. There were no evictions.

I do not mean to represent Kilmallie parish as in all respects a model one. There are still poor houses, poor crofts, poor men and women to be seen, or I might substitute 'bad' for 'poor.' But I do say that a great and most beneficial change has taken place in the condition of the people since 1844, and while a great many causes have concurred in producing this change that it began in the emigration of one-fifth, or actually nearly one-fourth of the crofter population. I am glad to state that the improvement in the moral conduct of the people has kept pace steadily with that in their economic condition, that drunkenness, fighting, and petty thieving have been on the decrease for the last thirty years.

I trust you will bear with me for a moment, though it is going beyond my proper province, when I say that, seeing emigration and consolidation of crofts have produced such benefits in this parish, it is deeply to be regretted that these measures are not resorted to in other places. Every right-thinking person would wish that the Highlanders should be maintained in their native land, if this could be done consistently with their own comfort, and the general interests of all classes of the community. The plan of giving small farms, or large crofts to such as have capital to stock them—granting them leases, as all the large farmers have—promises much good. The fishing in the western seas also affords scope for the employment of many men. But after all, there are many thousands absolutely destitute of means for stocking or cultivating land, or for procuring boats and nets for themselves; and I need not say that the mere occupancy of land is of no conceivable profit to a man who has not the means of utilising its productiveness. In the parish of Duirinish, where the entire rental as it stood in 1840 would not give £1 a head to each of the inhabitants, the surrender of the whole land to them free of rent, would not give them food for half the year. It is to me a very deplorable thing that people, seeing such easy means of reaching comfort, and even affluence, should continue in a state of dire poverty, ignorance, and utter discomfort; and it is very marvellous to see those who call themselves the 'crofters' friends' encouraging them in this most unwise

resolve, debarring them from a course which would infallibly raise them to high prosperity, and also greatly benefit those who remained at home, chaining them down to a state of debasing and painful poverty.

I trust judicious measures may be devised for relieving the present distress of the Highland crofters. I cannot conclude, however, without stating my firm conviction that in a good education is to be found the only permanent and effective safeguard against those sad visitations of famine which have periodically invaded the Highlands for a long time back. If the young acquired an intelligent mastery of the English language, which must be learned through Gaelic—the unknown through the known, as in learning all other new languages—one generation would wipe away this oft-recurring reproach of begging aid from others, and make the Highlander as independent as the Lowlander. I stated this opinion in the *Statistical Account* so often mentioned, and after forty-two years' additional experience of Highlands and Lowlands, I beg leave to repeat it with much deepened conviction, and with increased earnestness for its being acted on.

ARCHD. CLERK, LL.D.

X.

Rev. Archibald
Clerk, Kil-
mallic, Inver-
ness-shire.

XL

XL.

STATEMENT by the Rev. D. M'CALLUM, M.A., Duirinish,
Isle of Skye.

Rev. D.
M'Callum,
Duirinish, Isle
of Skye.

(See Evidence, p. 185 et seq.)

MANSE OF DUIRINISH, BY DUNVEGAN, SKYE,
June 1883.

I have the honour to acknowledge the receipt of a note, informing me that the Royal Commission will be glad to receive any written statement which I may be disposed to offer. Considering that Glendale is in the parish of Duirinish, this invitation is perhaps what might be reasonably expected. Although, however, that once peaceful Glen is one of the districts of the parish, yet, nearly the whole of its population was never brought within the reach of my instructions or spiritual superintendence. For me, therefore, to attempt to do anything in the way of advice or remonstrance during that commotion in Glendale which has attracted so much public notice in the three kingdoms, would, without the co-operation of their own minister, be apt to aggravate the evils which I earnestly wished to alleviate. During my long ministry in this parish, I have been frequently in the Glen, and been able, I hope, to be of some little benefit to the people in various ways, both there and in some of the surrounding districts. Their circumstances are well known to me. It is with painful interest that I viewed the unexpected and extraordinary measures which they had been led to adopt, in order to obtain a remedy for what they considered a grievance. Scores of men were one day seen to pass the manse, armed with sticks and clubs, on their way to the Dunvegan Hotel, with the intention of driving beyond the boundaries of the parish some of the police and other officers who, they heard, had been ordered to go to Glendale in order to take some legal steps against certain men there, accused of having broken the law. A middle-aged man who formed one of the rear of this strange procession I happened to overtake; he said he had come from a remote part of the Glen and felt tired. I asked him if he did not think that in this kind of work he was doing what was sinful, and that in resisting the law of the land he was acting contrary to the example left us by our blessed Saviour, and to the express command of his Apostles, who say—“Submit yourselves to every ordinance of man for the Lord's sake,” “Let every soul be subject unto the higher powers,” “Whosoever resisteth the power, resisteth the ordinance of God.” After a short pause, the man replied—“Well, I sometimes think that what we are doing is not quite right.” The brief conversation that I had with this man confirmed me in the belief that if, at the beginning of the disturbance in Glendale, the people had been more distinctly told that their projects were unscriptural and sinful, and inconsistent with their character as professing Christians, the confederation into which they had entered for resisting the law of the land would not have become so formidable as it has done. They have been always a peaceful and law-abiding people, and a people who could very likely be influenced by religious considerations. Emissaries from other places, however, and sentiments expressed regarding

their doings by men of influence in large cities, have led them to believe that resisting the law in the circumstances in which they are placed, and for the objects which they have in view, is meritorious and highly honourable. All the grievances of the Crofters in Skye, and in some other places, are found under the three heads—Evictions, Unjustifiable Raising of Rents, and Insufficient Extent of Land for their Crofts. On each of these three subjects I now proceed to offer a few observations.

XI.
 Rev. D.
 M'Callum,
 Duirinish,
 Isle of Skye.

1. *Evictions.*—Removing crofters from holdings long in the possession of themselves and of their ancestors, in order to suit an arrangement which the proprietor may think it advisable to make, and settling them on another part of his estate, where there is reason to believe that they will be fully as comfortable as they were before their removal, is an eviction which no person, having a regard to the rights of property, can make any objections. But to evict whole townships of fellow subjects, and fellow Christians, from holdings where they lived in comparative comfort, and to crowd them in a corner of the estate, to treat them like sweepings to be gathered out of the way, and to consign them to a place where they must be reduced to a state of extreme poverty and wretchedness, as has often been done in many parts of the Highlands, is a proceeding which cannot be contemplated without a feeling of righteous indignation. Evictions of this description, however, are happily of rather an old date, and the force of public opinion will, it is hoped, prevent their repetition. The appointment of a Royal Commission, and the information which their inquiries have elicited will, it appears to me, have in this respect a very salutary effect. Should no other good result from it, it may be regarded as having accomplished a very important and desirable object.

2. *An Unjust Rise on the Rents.*—The Commission, in course of their inquiries, have already ascertained that in Skye there is an extensive estate on which there have been no less than three rises on the rent, on three different occasions. A clergyman, dead some years ago, within whose parish this estate is situated, told me that in a conversation which he had with a crofter, who was complaining of the first rise as a grievance, he said to him: "I suppose your new proprietor has found reason to suspect, that you have been till now, not only living pretty comfortably, but that you have saved a little money, and that he thinks that a rise on your rents will be the most effectual way of getting it out of you." The crofter's reply was to the effect, "If we have done so, I for one am determined that it is not to him that I will give the fruits of my economy and industry." In accordance with this resolution, he and a few others, I believe, emigrated, and thus escaped the grievance of being subjected to the second rise. Before the third rise, it is to be hoped, that he, and those who accompanied him, found themselves in a state of comfortable independence.

In the parish of Duirinish there have been considerable rises on the rents of the large farmers, but none on those of the crofters. Complaints of dear crofts are never heard among them, nor do I believe that there are any grounds whatever for such complaints, particularly on the estate of MacLeod of MacLeod. The general complaint here, and indeed throughout the greater part of Skye, is not too high-rented crofts, but the small extent of ground given to them.

3. *Insufficient Extent of Land.*—Neither a rise on the rents, nor insecurity of tenure, is what the crofters of Skye generally complain of. The more general complaint is that their crofts are too small to enable them to live. Indeed the cry everywhere seems to be for more land. How this grievance can be remedied without interfering with the legal rights of proprietors is a problem very

XI.

Rev. D.
M'Callum,
Duirnish, Isle
of Skye.

difficult to solve. Still it is a grievance which proprietors, if disposed, have it in their power to alleviate in some considerable measure. It may be remedied so far, by taking slices from very large farms, and laying them out as suitable crofts. I may give one instance out of many which might be mentioned in which this may be done without any loss to the proprietor. The large farm of Feorlick in this parish is now, and has been for a period of about thirty years, held by a non-resident farmer. Bordering on this farm of Feorlick is the small farm of Vatten, the rent of which I do not know for certain, but is, so far as I have been able to ascertain, about £120. Vatten is now added to Feorlick, the farm of the non-resident tenant. In a conversation which I lately had with an intelligent and industrious crofter, I asked him, how much land would he like to have as a crofter? His answer was—land to such an extent, as would require him to pay a rent of £12. He further stated, that if ten of the smaller crofters were to get crofts, as they earnestly wished on the farm of Vatten, they would willingly pay the full amount of rent which is now paid for it. Proprietors, however, are impressed with the idea that the payment of rents by crofters cannot be depended upon with certainty. If Government were to offer to become security to the proprietors for the payment of the rents of the crofters on their estates, the offer in many cases would be readily accepted. To such an arrangement as this there are, no doubt, serious objections. It is perfectly evident, however, that if the state of crofters throughout many parts of the Highlands is to be improved, a sacrifice must be made in some quarters, and it appears more equitable that that sacrifice should be shared in by the whole nation, than that it should be made entirely by the land proprietors, or any one particular class.

In conclusion, I beg leave to refer to a statement made regarding one of the districts of the extensive parish of Portree, and a district in which I have reason to feel a special interest. At the first meeting of the Royal Commission, which took place at the Braes, a locality which has of late obtained so much notoriety, it was, it would appear, suggested to one of the delegates appointed to enumerate the various grievances to which crofters have been subjected, to tell the Commission that at the Disruption two families at Sconcer were ejected from their holdings because they entertained two Free Church elders. Sconcer is separated from the Braes by Loch Sligachan, across which the ferry is only about two hundred yards broad. The former place and its surroundings formed a part of my first ministerial charge. I was its ordained missionary minister before and after the Disruption, and resided at a distance of a little more than two miles from the scene of my labours. The Free Church minister of Portree, who came to Skye some time afterwards, was present at the first meeting of the Commission, and made a few remarks which went to show that the extraordinary statement of the delegate was quite credible. As what has some bearing on that statement, I may mention that on the Sconcer side of Loch Sligachan there is an upland called Moll, stretching down to the sea, which had been added to the deer forest. Not far from its base some crofters were removed because their crofts were considered too near to that part of the forest. There is nothing, however, of which I am more certain than that no family was ever removed on account of their showing Christian hospitality to members of the Free Church, or for any reason of a similar character. If a persecution on the MacDonald estates had been instituted against the Free Church so severe as the extraordinary statement referred to would lead many to suppose, I would like to ask, how did it happen that in the Braes, a district under the management of the same factor, the great bulk of the population were at the Disruption

so easily induced to join the Free Church, and how it does happen that since then the Free crofters there have been enjoying the counsels and ministrations of their minister without its being possible to give a single instance of a crofter being evicted, or subjected to any disadvantage whatever, on account of his connection with the Free Church. All the crofters at Sconcer remained steadfast in their attachment to the Established Church at the Disruption, and they continue so to this day. This is probably what cannot be said of any other township in Skye. In this respect Sconcer is quite unique; this state of things is probably to some parties disappointing and unaccountable, but surely a better and more charitable explanation of the fact might be given than by telling a Royal Commission, and through the Commission the Christian public, that at the Disruption two of the Skye crofters were evicted because they entertained two elders of the Free Church.

DUN. M'CALLUM.

XI.
—
Rev. D.
M'Callum,
Duirinish,
of Skye.

XII.

XII.

Mr John T.
Mackenzie,
Dunvegan,
Skye.

STATEMENT by Mr JOHN T. MACKENZIE, Dunvegan, Skye (Factor for St Kilda).

(See Evidence, pp. 185 and 864 et seq.)

I, JOHN T. MACKENZIE, having been called upon to give evidence before the Commissioners at Portree on the 23rd May, now beg leave to submit my written statement.

I am 54 years of age. I am well acquainted with Skye, having lived there the greater part of my life. I hold various public offices of trust. I am also factor for St Kilda. I observe that the Commissioners visited that island on the 1st of June. I read the evidence given before them on that occasion. I have no comments to offer thereon; suffice it to say that Mr M'Kay omitted to mention that a medicine chest is kept on the island under his own charge, and that he himself is possessed of some skill in the proper dispensing of those medicines.

Angus Gillies, in his evidence, when he said the factor sent a vessel with meal on 3rd May, omitted to mention that in addition to meal, there was also sent flour, seed oats, and potatoes. The potatoes were, by Miss M'Leod's special orders, given at half price, viz., 5s. a barrel, she undertaking to pay the other half out of her own private means.

The natural products of the island, such as feathers and oil, are falling out of view, other industries taking precedence.

Prosperity lies before the St Kildeans in the fishing occupation, which made a start a few years ago. Unfortunately certain circumstances have hitherto retarded its progress. I am glad, however, to say, that a fresh start has again been made with every appearance of success, if encouraged in the right direction and in the proper way.

The agitation in Skye and the "land question" throughout the rest of Scotland may to a certain extent be associated, the difference being that the "land question" to a great extent is in the hands of educated people, who know the danger of breaking the law, and who are responsible for their own actions. The crofter grievance is the "land question" in another form, but in the hands of a class who, fancying they have some hardships, know not what to do, but who are under the guidance and advice of irresponsible and, I am afraid in many cases, of thoughtless leaders, eager to gain notoriety through their plicity and credulity of their followers.

It may be gathered from the evidence given generally, that the stock necessary to maintain an ordinary crofter family is one horse, four cows, and forty sheep, that the rental of such a holding may be fairly valued at £10. If we suppose a township of forty of those lots, returning a gross rental of £400, to be advertised as one farm, capable of carrying a stock of 40 horses, 160 cows, and 1600 sheep, and if compared with other holdings of the same sort, I should say it would bring £600, if not more.

It is said that the people generally are now worse fed and worse clothed than

they used to be. On this point I am rather inclined to say that they live more extravagantly now than they did in bygone days. The nutritious diet of porridge and milk, so largely used of old, and which nourished such strong and healthy men and children, is not now, according to the evidence of one delegate, considered good enough; it has to be supplemented by delicacies and costly foreign imports, often beyond the legitimate reach of an ordinary crofter. Again, home-spun tweeds and wincey are not now sufficient for dress as of old; they must have fine cloth and gaudy millinery taking the place of more substantial requirements, so that a great part of the money that should be used judiciously is foolishly spent in this way.

From the evidence given before the Commissioners, the grievance appears to be the same in every district they visited,—the cry being confined holdings, rack-renting, and fear of capricious evictions; the redress sought being more lands, low rents, and fixity of tenure. The question now is to what extent can those remedies be obtained.

As I understand the matter, what I am expected to say now is to offer my opinion as to what gave rise to what is now termed grievances; what causes the unproductiveness of the soil at the present day compared with what it was in the past; and under present circumstances what is the best remedy for the state of disorder now prevailing.

The discontent throughout this part of the Highlands may have arisen from various causes, and from a combination of events, some of which, strange as it may appear, have been partly brought about by the prosperity of the country at large, simply because labour employed elsewhere paid better than by putting it into Skye land, as I shall endeavour briefly to show. The potato failure made the land less profitable and less productive to the crofter than it was in times preceding the date at which that failure occurred. This calamity was quickly followed by a new era in the *prosperity* of the country, when labour began to be in demand, and good wages obtained, which in 1849 went up with a bound. At this the working classes in the country got so elated that the benefit from land was then looked upon as a small matter. The potatoes having at that time almost become extinct, the people had no inducement to cultivate the ground, and consequently they allowed the land to slip out of their hands of their own accord without regret or grumble; all they wanted in the Highlands being simply a home for their families, as being less expensive, and accompanied with greater privileges than a labourer's home in the lowlands. The people soon found that it was more profitable to be employed at railways and other works than by cultivating land at home. It can therefore be easily conceived that the crofters became indifferent about their holdings, so far as the *extent* of them was concerned, and in any case, after the rise in wages, agriculture in the Highlands, as a rule, was found not to pay; but grazing did, and consequently the land, looked upon by the crofters with indifference, was eagerly sought after by the graziers. Of late years, however, the price of Highland cattle and mutton has gone up so much, and this being the particular kind of stock crofters keep, they are now beginning to have a craving after hill pasture, for which they had no value in former days, but now seek after at such a rapid pace that the circumstances of the country are not able to meet the demand so quickly as the craving has come on. This craving, it is to be feared has been injudiciously indulged, if not stimulated, by the doings of a certain class of public agitators, of whose patriotic and philanthropic motives many people feel somewhat sceptical.

XII.

Mr John T.
Mackenzie,
Dunvegan,
Skye.

XII.

Mr John T.
Mackenzie,
Dunvegan,
Skye.

Most of the delegates before the Commissioners have spoken of the unproductiveness of the soil compared with what it was fifty years ago; the cause stated being the constant tilling of the same soil year after year. No doubt this is a cause in its own way, but there is a great deal more than that to be explained. The true cause is want of manuring.

Prior to the date of the first appearance of the potato blight, the manufacturing of manure was looked upon as a very important branch of business in the country, requiring constant attention and skill, and the result was that a large quantity was put into the ground every year. This, coupled with proper attention to the soil, and otherwise good husbandry, yielded corn tall in stalk and heavy in grain, but such attention to the land as this is now unknown to the crofter population. Corn is not now grown in the Highlands on account of its grain, it is grown simply for the straw for the purpose of feeding cattle,—the finer the stalk, and the more mixed with grass, the better for that purpose—hence bad farming.

The evidence given before the Commissioners clearly shows that the value put on land by the crofters is measured by their own agricultural experience, which is certainly less than half market value, which anyone can calculate who reads the evidence now in print. I was present myself where one delegate said, that 'in his township the grass of a cow was valued at 5s.,' that 'a cow represented six sheep,' and that 'a horse represented two cows.' If a cow at 5s. represents six sheep, that means 10d. a sheep. I have no doubt this delegate not only expects to keep what he has at 10d. a sheep, but expects more land at reduced rents, while yet the neighbour he marches with is a tacksman, paying a rent of 4s. 6d. a sheep.

The difficulty is to suggest a speedy remedy for the present state of things. and I am afraid what I would be inclined to propose is not suitable, as it might by many be considered too slow in its results.

I would suggest—

1st. That compensation be given for unexhausted manures, for permanent improvements, and for loss by game.

2nd. That leases be given to the crofters, and when a new lease is to be entered into, if on the old terms, *so be it*; but if the landlord asks for an increase of rent under the new lease, or the tenant wants a reduction, that the whole question of value be referred to valuers,—thus making the party disturbing existing arrangements to take into consideration before doing so the possibility of a valuation instead of bettering, leaving him worse than he was.

3rd. That there should be prevented the subdividing of crofts under £10, the squatting of people on any part of crofters' farms, except in cases where it cannot be judiciously prevented, such as in the neighbourhood of fishing stations and villages to which people generally gravitate on account of the labour that is always to be obtained at these centres.

4th. That every proprietor should have at his disposal a tract of improvable moss land, where young married men, who would not be allowed to subdivide a parent's lot, who would be prevented from squatting, and who would refuse to emigrate, might get ten acres or so to build and improve upon, with the privilege of cutting sea-ware free where such is available. The land to be

given at current value for a certain number of years, and at the expiry of that period, the tenant to be paid the difference between the market value of the land when he entered, and the market value when the lease expired, provided always that the rent had been paid regularly during the currency of the lease. The value to be ascertained, not by a process of valuation, but to be guided by the increase in the rent obtained in the public market, through the improvements made by the tenant during his occupancy. The interest of the money thus paid to be chargeable to the new lease in addition to the original rent, unless the landlord and the tenant (if the old tenant) mutually agree to defer payment.

Landlords would also do well to create on every estate a sprinkling of small farms, say of £50 and upwards, in order to afford an opportunity to deserving and well-to-do persons from the crofter class to rise in the social scale when they could.

5th. That the Government organise an equitable scheme of free or assisted emigration to the colonies, in order to afford the crofters an opportunity of emigrating at any time they felt so inclined.

JOHN T. MACKENZIE

XII.

Mr John T.
Mackenzie,
Dunvegan,
Skye.

XIII.

XIII.

STATEMENT by the Rev. DONALD MACKINNON, M.A., Minister of
Strath, Skye.

Rev. Donald
Mackinnon,
Strath, Skye.

(See Evidence, p. 223 et seq.)

STRATH, BROADFORD, ISLE OF SKYE,
29th October 1883.

In compliance with the request of the Royal Commissioners, conveyed to me by a letter from their Secretary, that I should furnish them with a written statement, I now proceed to do so, by way of supplementing my oral statement before them at Broadford; and though my remarks will bear chiefly on this end of the island, with which I am best acquainted, they may, I think, from my knowledge of the country, be held as generally applicable to the whole island.

That there may be no misunderstanding as to my views, let me state, in the outset, that I am strongly opposed to clearances, and have been so all my life,—for I hold that no man should have the power either of clearing townships bodily, or of weeding them out year by year, until he effects his purpose equally in a way that does not attract public attention. In 1854, when, unfortunately for the country, Lord Macdonald's estate was under trust, clearances were carried out by the trustees, attended with circumstances of heartless cruelty, not only without Lord Macdonald's consent, but against his strongly expressed wishes. In the course of these clearances, paupers were ejected by the inspector of poor, who was a sheriff-officer, and also ground-officer on the estate. Clearances and maladministration of the Poor Law thus came to be mixed up together. I denounced both these abuses in the public papers. The evictions having been carried out, my letters were too late to benefit the crofters, but the exposure secured important advantages to paupers throughout the country. Some of my letters were printed by order of the House of Commons, with the result that several gentlemen of good standing were appointed under the Board of Supervision to superintend the doings of parochial boards and of poor inspectors, and that it was made illegal for a sheriff-officer, ground-officer, or landlord's servant for the future to be an inspector of poor. But while I thus thought it my duty to denounce the ejection of these people. I believed then, and do still, that a certain amount of judiciously conducted emigration would be for the benefit not only of those who would thus escape from poverty, but also for the benefit of those who would remain behind. In the face of the fact that almost without exception the crofters who have emigrated have been successful, and that a good many of them have become very wealthy men, I cannot see what claim these people have to be considered friends of the crofters, who, while they maintain that their condition is so low, yet advise them to continue in that position, from which there seems so little hope of escape, thus doing all they can to suppress the natural aspirations of men to better their position in life. Why, because a man has been born a crofter, whose lot in life is at best a poor one, induce him, by bad advice, to remain hopelessly with all his offspring crofters to the end? *It appears to me that both the public and the crofters themselves have formed an erroneous idea about their true position.* Crofters, even with the best holdings they possess in this country, were not intended or expected to

be self-supporting farmers, but working men with allotments;¹ and when, as in their case, what was merely intended to be subsidiary to the main purpose of living by labour, has come to engross their whole time and attention, to the exclusion of that labour to which it was intended chiefly to be supplementary, it is no cause of wonder that poverty has come in the wake of so unwise a transposition. The result is seen in the deplorable fact, that a very large majority of our male adult population spend from eight to nine months of the year in absolute idleness, and consequently in poverty, for the relief of which appeals have had from time to time to be made to public charity. There is here, therefore, manifestly a state of matters requiring rectification, and the only apparent remedy is a certain amount of emigration, combined with crofts of such extent as will give full employment to such families as wish to follow farming exclusively, and another class of crofts for those who wish to be fishermen, of such extent as will enable each family to keep a cow, with as much land as will not interfere with their vocation as fishermen. Without either migration to some place where land is more abundant, or emigration, this last remedy is not practicable; for there is not in this country anything like the quantity of land that would be necessary to make crofts of a proper size, and to give besides crofts of proper extent to those who now hold only fractions of crofts, and to those who have no crofts at all. A good many could be accommodated by reducing the size of the excessively large farms, and laying the lands thus taken out in crofts of proper size, if the money could be found to stock the lands—of which, I believe, there is little probability. Of the finding of money for this purpose by Government, as has been suggested—and as the crofters, I think, unfortunately, expect—I do not entertain any hope, for I do not see what claim crofters can set up to Government aid any more than men who are in poor circumstances in any other locality, and following any other vocation. I certainly would not advise the increase of crofts of such limited extent as even the best of the existing ones. If any change takes place, I would suggest that, in the first place, attention should be given, as the readiest practicable remedy, to restoring all divided crofts to their original extent, and where possible, to extending them, and that steps should be taken to prevent the possibility of subdivision in the future; for should the present generation be relieved as proposed, unless subdivision is made impossible, the same state of things which now exists will soon come round again. I can look back to more than one occasion on which landlords, recognising the evils of subdivision, attempted to put a stop to it; but it was looked upon by the people as oppression, and created such discontent, that though the rule was in existence, it was abandoned to a great extent in practice,—so that the subdivision which has been so disastrous, which has caused so much poverty, which has led to improvident marriages, and to the consequent heavily burdening of the poor-rates with the support of widows with families of young children, has been in reality the work of crofters themselves.

XIII.

Rev. Donald Mackinnou,
Strath, Skye.

¹ When crofting began to be extended on the Macdonald estates, and up to about 1830, Lord Macdonald had an average income of £20,000 a year from kelp, as may be seen in the Parliamentary Blue Book, in the evidence of Mr Robert Brown, who at the time spoken of was commissioner for Lord Macdonald, and who at the time he gave his evidence before a Parliamentary Committee subsequent to the abolition of the duty on Spanish barilla, which destroyed the kelp trade, was commissioner to His Grace the Duke of Hamilton. It is hardly necessary to remark, that such a large revenue from kelp—and it was some years £25,000—implied the expenditure of very large sums among the crofters for the manufacture. All sea-board proprietors on the West Coast suffered in proportion by the destruction of the kelp trade. Macdonald of Clanronald lost an income of £18,000 a year; and all this loss came on in one year upon all the sufferers, so that their consequent financial difficulties were forced upon them, and were not so much of their own making as is commonly supposed.

XII.

Rev. Donald
Mackinnon,
Strath, Skye.

The only instances of subdivision by the landlord which I can recall, are a few cases in which the holders of crofts, either from age, poverty, or ill health, could not manage a whole croft. In this connection it falls to be stated that the cottars, or squatters, who the delegates complained were a burden upon the crofters, are, without exception, either the sons and daughters of crofters who have been born on the lands, or people who have been permitted by the crofters themselves to settle down upon their holdings, who, without the landlord's consent asked or given, have often come from other estates, and become connected by marriage with some of the crofters on the farms on which they squatted. I have never known even one instance in which a landlord or factor gave an order, or even permission, to a cottar to settle on lands held by crofters, unless at the request of the crofters themselves; on the contrary, landlords and factors uniformly discountenanced the system, but in vain, just as they have in vain discountenanced subdivision. This was as well known to the delegates who stated it as a grievance against their landlords that cottars were settled upon their lands, as it was to me, and I was sorry to hear this and other evidence given here, and to see that such was given elsewhere which was notoriously untrue, much of it mere hearsay, referring to matters which took place fifty or sixty years ago, of which the delegates knew nothing, casting reflections on people long dead for matters which, had they been in life, they could have explained in a way that would give them a very different complexion to that put upon them by the delegates. For instance, Donald Mackinnon, delegate from Elgol, stated that within his time eight farms had been depopulated on the estate of Strathaird.

Evidence,
Q. 4225.

Now, it is a certain fact that, for more than a hundred years, there have been only two farms on the estate occupied by crofters, and one of these is so occupied still. From the other, the people were removed because they had fallen into arrears for several years' rent; such of them as were solvent got crofts as they became vacant, in the tenant farm which still exists. In addition to the two said farms, there were two detached crofts worth about £12 or £14 a year each, held rent free by two old servants of the proprietor during their lives. Though holding those crofts free, these men were just as poor as their neighbours, and left nothing at their death to their families to enable them to hold the lands; still they were left in possession for several years, and they fell so deeply in arrears that they had to abandon their holdings. These two crofts the fertile imagination of the not over-scrupulous delegate has magnified into depopulated farms, which help to make up *three of the eight farms* said to have been cleared within his recollection. It will be in the recollection of the Commissioners that this delegate stated in his evidence at Broadford, that the School Board had deprived the people of his township of the ground on which they used to haul their boats. I think it right to contradict now, as I did at the time, this knowingly untruthful statement, as I am not sure that I made the state of the case sufficiently clear in my oral evidence. The place was never used for the purpose alleged, and no tide ever known prior to that of November 1881 made it necessary to make the people think of using it. It had been a schoolmaster's croft, and was enclosed as such for many years. Prior to the passing of the Education Act, the place was for some time without a schoolmaster. I was petitioned by the people to procure a schoolmaster for them, which I did, and I built with their full concurrence on this very ground, at my own expense, the walls for a schoolhouse and teacher's dwelling—the contractors being some of the people of the place. After I had spent so much money, I asked themselves to fetch the materials for the roofing of the buildings, which were provided by me, and to cost them nothing but their own labour, and the use of their boats for one day; yet they would not take the trouble, wrangling among themselves, as crofters uniformly do, as to which of them should do the work—those who had

Evidence,
Q. 4291.

XIII.

Rev. Donald
Mackinnon,
Strath, Skye.

no children refusing to assist, and those who had, refusing to take the sole trouble of what they said was to be for the good of the township at large. Finding themselves so indifferent and ungrateful, and seeing that an Education Act was in prospect, I ceased to take any further action in the matter, and my outlay was entirely lost. When the Education Act passed, I, as chairman of the School Board, was deputed along with the factor on the estate, who was also an elected member of the School Board, to select a site at Elgol. From some cause the factor was not able to meet me on the appointed day; but as I had received intimation that he, on the part of the proprietor, would agree to any site selected by me, I proceeded with the work on hand. From the first, I had the site ultimately selected in view, as the most advisable, both because it did not interfere with any of the crofts, and also because it obviated the great expense of carrying building material to the higher ground, which is so difficult of access from below. I took all the inhabitants of the place into my counsel, assembled them on the ground, and without *one dissenting voice they agreed that the site which I recommended was the best.*

As a consequence of the agitation, and unreasonable expectations of a crofter's millennium raised by well-meaning but injudicious counsellors, who wish them well on the one hand, and by disloyal socialistic demagogues on the other, a tendency to exaggeration and misrepresentation has seized the minds of the people, who are evidently under the impression that the worse the case they make out, irrespective of its truth, the more are they likely to get as the result of their complaints, so that men have come forward to complain who really have no cause or right to do so. For instance, Malcolm MacInnes, delegate, Heast, complained that his holding was too small, and too highly rented. Now in that farm on which he lives the lands are well known to be very reasonably rented; they have a club stock of sheep, the proceeds of which usually pay the whole rent of the farm, so that the holder of each whole croft has from seven to nine acres of fairly good land, house and fuel—grass for six cows and two horses virtually free. This delegate is one of two brothers who are known to have from £2000 to £3000 left to them by a relative who emigrated to Australia, and, to my certain knowledge, they were offered, some months before this man gave his evidence, a holding suited to their means, and that they declined to take it. Neil Nicolson, Torrin delegate, holds about eight acres of the best land in the parish—every inch of it arable—with grazing for six cows, two horses, sixty sheep, at a rent of £13, and is in as good circumstances as a man with a holding of this extent can be; the return from his sheep pays his rent, so that he has his house, fuel, land, and the grazing of his cows and his horses free. John Macdonald, delegate, Harrepool, occupies two crofts in a farm which is reasonably rented, and he has been able to raise his sons above the position of crofters. Finlay MacInnes again complained of being over-rented. He holds a small croft, rented at 30s., and he sits better than rent free, for the Parochial Board pays him for a spare house upon his croft a rent of £4, while he only pays 30s. to the landlord. These are all decent, well-conducted men in their station of life, and I mention the above facts to show, by the unreasonable nature of their complaints, the erroneous notions with which the people have become imbued. Much of the poverty of which they complain is undoubtedly of their own making, for they too commonly spend in entire idleness time during which they might earn money enough to improve their circumstances very materially; and as illustrative of this, it is right that I should state that many strong able-bodied men are now returning home to live in entire idleness until next summer, from the fishing in Banff and Aberdeenshires, who from the failure of the fishing there hardly earned as much money as would pay their way home, while there is abundance of railway work where they could have got employment, going on in the district which

Evidence,
Q. 4900 and
4908.

Evidence,
p. 234.

Evidence,
p. 242.

Evidence,
Q. 4875.

NIII.

Rev. Donald
Mackinnon,
Strath, Skye.

they have left ; and when one or two, perhaps three men, come home in such circumstances to one family, the result may easily be seen ; and even when men return after a short time of absence, who have been fairly fortunate, their earnings as a rule simply go to pay debts due from the previous year, so that they are for about nine months running into debt for the expenses of the current year. I am inclined to think that the facilities now afforded our people by banks and business men to settle their debts by bills, has a good deal to do with the reckless disregard of industry just described. The crofters are as *au fait* at discounting and renewing bills as men in the great centres of business, and the Commissioners are already aware of the ruinous rate they usually pay for this very doubtful benefit.

Another active factor in this life of indolence is the facility with which large sums of money have been raised for Highland destitution. I have always strongly felt that eleemosynary relief was attended with bad effects in other ways besides encouraging idleness, though, when surrounded by people in want, I have felt obliged to surrender my own opinions in order to avert destitution ; but the experience I have had of its humiliating effects for the last two years, in administering the boat and destitution funds, has satisfied me that the effects are more lowering to the character of the people than I conceived possible. At various periods from 1782 to the present date, the Government and the public have been appealed to for the relief of Highland destitution, and I trust the Commissioners will in their wisdom devise some scheme which will render this humiliating state of matters no longer necessary ; for as long as people continue to look to external sources for relief, they will not, I fear, exert themselves steadily to live by their own industry. Though a considerable amount of poverty does exist, I am quite satisfied that the evidence the Commissioners have heard, alleging that the circumstances of the people in bygone years were better than they are now, is a pure myth, as the following statistics will show :—(1.) About fifty years ago there was a large amount of arrears due by crofters, which was cancelled as irrecoverable. Again, in 1850, Lord Macdonald cancelled about £10,000 of arrears due by crofters, while for the last five-and-twenty years the rents have been regularly paid, without any appreciable arrear ; and they pay besides poor rates, school rates, and doctor's salary, which amount to about 3s. per £1 on their rental. (2.) Fifty years ago all the import trade, which was chiefly in food, was carried on by a small steamer of about 80 tons burthen, plying weekly in summer and fortnightly in winter ; at a later date, a steamer of 110 tons was for many years sufficient for the trade, also running weekly in summer and fortnightly in winter ; whereas now we have two to three thousand tons of steamships engaged weekly all the year round, and the railway besides in supplying the wants of the island. (3.) Five-and-twenty years ago, when people were out of meal, a large number of those now in good credit could not, on their own responsibility, get meal from the dealers without security from me and other responsible parties. For a good many years I had to become security for sums varying from £100 to £200 to meal dealers, but for some years I have rarely been asked for such security. They are able either to pay money, or their credit is good enough to obtain meal on their own account. At that time the people were clothed in home-made stuffs, and most of them shod with leather of their own making, both usually of poor quality. Now they are clothed in tweeds or west of England cloths, and the women too often dress beyond their station in life, and the people altogether indulge in luxuries unknown to them in 'the good olden time,' which accounts to a great extent for their poverty ; for though they earn so very much more than they did in the old times, these luxuries are incompatible with the amount of time they spend in idleness, and in consequence, as the Commissioners have repeatedly heard from themselves, the crofters are

as a rule heavily in debt. The taste for an improved style of living I am very glad to see, for I am satisfied that it has been an influential factor in the greater exertion and industry which have been developed in recent years, and I am not without hope that when they see they cannot continue to enjoy these luxuries while they lead lives of idleness, they will be stimulated to more permanent exertion. (4.) Much has been said of the abundance of home-grown food in former years. Potatoes certainly were then wonderfully abundant, but nothing else in the way of food was. That home-grown meal was abundant is a mere fallacy, which is clearly shown, as far as this locality is concerned, by the value of the multures paid at *the only mill in the parish*. I have reason to be acquainted with the fact, that in the best years, including the grain of the tacksmen, which would at least be one-half of the grain ground, forty bolls of meal was the largest amount made by the miller by these multures, and as the multures were a twelfth part of the grain ground, the total amount of home-made meal would allow less than a boll for each family in the parish, while now the usual consumption of a crofter's family is, as the Commissioners have repeatedly heard from themselves, from ten to eighteen bolls. The value of the multures is also shown by the fact that the miller's rent, including a croft rented at £5 10s., was only £16 sterling. I am satisfied that other localities, tried by the same test, would give a similar result. (5.) So recently as 25 years ago many of the crofters were so scarce of stock that in every township numbers of cattle belonging to dealers and other parties were taken in to graze during the whole year, but now the crofters generally, though not invariably, have stock of their own upon their pasture, so that they do not require to take in grazing cattle, and when they do, they belong to other crofters as a rule.

In old times very few men left the country to work, therefore money was scarce. The price of cattle and sheep was less considerably than half the price they now realise. The case being so, how is it possible that the people could have been in better circumstances then than now, for they paid practically the same rents as they do now (the recent increase being only five per cent.), with far smaller means of doing so than they possess, now that the value of their stock and of everything they have for sale is more than double what it was then, and when their own labour is so much enhanced in value that they can earn considerable sums in a very short time, though unfortunately they devote much less time to steady labour than their circumstances require?

Taking this improvement in their circumstances into consideration, the question naturally arises, What is the reason of the agitation and discontent which have been prevalent? I am quite aware that there have been reasons of complaint in certain localities, but these have not been so general as to account for the universality of the complaints. Not a few have been unwillingly concussed by threats of personal violence to join in the agitation who had no sympathy with its promoters. Many joined, not because they felt they had unbearable grievances, but on account of the Utopian and communistic ideas instilled into their minds by professional and unprincipled agitators on the one hand, and by the unreasonable expectations raised in their minds on the other by well-meaning but injudicious friends; and further, by the way in which the disaffected and turbulent were permitted so long with impunity to go on setting the law at defiance.

To people not in very flourishing circumstances, and so foolish as to believe in the teaching referred to, the prospects held out were of course very captivating; but leading the people to look for unattainable objects was only a part of the teaching of these demagogues. The pamphlets and cartoons here-

XIII.

Rev. Donald
Mackinnon
Strath, Skye

XIII.

Rev. Donald
Mackinnon,
Strath, Skye.

with sent¹ show that the teaching was not only foolish but criminal, and that it is only owing to the inherent good character of our people that they were not incited to violence and bloodshed. These pamphlets and cartoons, and others more objectionable still, which I have not been able to get, were freely circulated by an agent of the Land League among our people, and they show one of the sources from which emanated much of the bad feeling in existence, which led the crofters to take a position antagonistic alike to kind and considerate as well as to inconsiderate landlords. Though I am satisfied that the position of the crofters is much improved and capable of further improvement, I cannot look upon it as calculated to admit of their rising much in the social scale; but I recognise it as an existing institution which cannot be done away with (even though wrong-headed and influential parties should advocate such a course), and which, therefore, every wellwisher of his country must wish to see put upon the best possible footing, that it may make the people as prosperous and happy as their position will admit. I have no doubt that the inquiry by the Royal Commissioners, while in the meantime it has done mischief by unsettling the minds of the people and raising expectations so extravagant that they must to a great extent be doomed to disappointment, will have the effect of drawing the attention of landlords to the faulty points in their management of their crofters, and that more real good can be done in this way than by any possible legislation. And where landlords do not themselves recognise the duty of kind and liberal treatment of their crofters, the 'fierce light' which is said to beat upon a throne will shed on ungenerous landlords, and bring them to a sense of their duty by the voice of public opinion. The country, whatever party is in power, must now be governed by public opinion, and if the Government of the country must yield to its authority, is it not manifest that landlords in a matter like this of public policy must yield to its voice, even if they wished to deal harshly with their people, which I believe few indeed have any desire to do—but it must not be supposed that the fault is always unfailingly with the landlord, and that the crofter is an infallible being. Crofters have many excellent traits of character. They are usually a good, God-fearing, moral, and hitherto orderly people; but they have their faults, though they have been recently lauded as immaculate. From my knowledge of the country, I am satisfied that the influence which landlords and factors as a rule exercise over crofters is salutary—*nay, is absolutely necessary to prevent the injustice which crofters, when they have the power, treat each other.* It is only one who has lived amongst them, and has a practical knowledge of their ways who can understand the difficulty of keeping them in order. As families they are kind to each other beyond anything known out of the Highlands, but ascrofting communities they are quite the reverse. In every farm the inhabitants are divided into cliques, each working in its own interest, so that they are rarely harmonious, and the more the crofts are subdivided so much the more intense is the feeling of rivalry, the explanation of which is this:—Various matters affecting the common interest in the management of their farms are decided by vote. The holder of one-fourth of a croft or one-third of a croft, as the case may be, has a vote as well as a man who has a whole croft; and those holding subdivisions being commonly more numerous than those who hold a whole croft, and being more needy, will, when they require money—where they have a common stock—in selling the annual cast off the farms, outvote the holders of a full share, and sell, to raise money, young sheep

¹ The titles of the pamphlets referred to are as follows:—*The Land for the People; an Appeal. The Irish Land Question; an Appeal to the Land Leagues. A Plea for the Nationalisation of the Land. Letter from Dr Nulty, Bishop of Meath, to Joseph Cowen, M.P.*; printed and published for the National Land League of Great Britain, 1882. Several objectionable cartoons from the *Weekly Freeman*.

which ought to be left for keeping up the stock, thus ultimately not only increasing their own poverty, but helping to impoverish the well-to-do tenants. Another mode by which they injure each other is, that by the vote of the holders of subdivisions, who rarely have enough winter provender for their cattle, a portion of the common pasture set apart for the grazing of their cows is almost every year broken up for cultivation, so that the cattle are scrimp of food, and that on an average not more than half of them have calves. The man who has a full croft thus suffers much more loss than the holder of a subdivision, for the man with a whole croft suffers by the injury done to from four to six cows; the other suffers only by injury done to one or two. Again, when they have hill pasture without a common stock, there are always some who have a great many more sheep than the fair share they are entitled to keep, and yet, though they have thus the use of grazing for which their less fortunate neighbours pay, they uniformly refuse to make any compensation to those who pay the same share of the rent which they do, though they have frequently little or no stock upon the land. They quarrel constantly among themselves about various other matters, such as sea-weed, peat mosses, keeping up dykes, herding cattle, and finally, when there is an improving tenant who lays his land out in grass, or grows a patch of turnip,—when he attempts to keep his neighbour's cattle off his grass in spring, or off his turnips in autumn, instead of preventing the trespass, they make his endeavours to protect his property a cause of quarrel and abuse.

Crofter communities, like a family, require a head to rule them; some members are kind and considerate to their neighbours, while others are quarrelsome and selfish. Taking them all in all, they are inclined to be overbearing and inconsiderate to each other when they have the opportunity, and it is *only the landlord or factor having the power of using summary measures against parties doing injury or injustice to their neighbours, who can settle disputes, prevent injustice, and enforce order in crofter townships; and, as a rule a factor over crofters has to adjust perhaps as many disputes as the Judge Ordinary of the country, and cases, too, which no one but a factor can understand or decide on their merits.*

The present factor is the eighth I have seen on the Macdonald estates, and I have never known abuse of power by any one of them, excepting by the factor appointed by the trustees while they held the estates. Two cases of seeming hardship were brought under the notice of the Commissioners at Broadford. I knew perfectly the nature of the case of Widow Matheson. I knew that she was heavily in arrears, which she could not hope to pay, and that she was at once transferred from the landlord's rent roll to the poor's roll, and that she and her family were kept upon the roll until they were able to support themselves. I did not at the time so readily recall to recollection the case of Widow Macdonald, though I knew the case well enough. She had a grown up family, who did not assist her; the croft was too large for her destitute circumstances, a croft rented at £9 which she never could pay; she was not herself one calculated to cope with difficulties, and she was ere long put into a small holding suited to her circumstances, where she has been for nearly twenty years.

A good deal has been said about the paying by an incoming tenant of the outgoing tenant's arrears; but to this question, as well as to most others, there are two sides—it has its advantages as well as its disadvantages. The custom originated in a wish to deal gently with the outgoing tenant, as much as in a desire to secure the landlord's rent. The outgoing tenant is usually in reduced circumstances, and by this arrangement he leaves without any claim being made by the landlord upon either the way-going crop, the cattle, or other property he may be possessed of. Thus there is no such thing known on this estate as sequestrating a crofter who runs into arrears. The incoming tenant is usually one who is in fair circumstances, able and willing to pay the arrears, which is

XIII.

Rev. Donald
Mackinnon,
Strath, Skye

Evidence,
P. 246 *et seq.*

Evidence,
Q. 4615.

XIII.

Rev. Donald
Mackinnon,
Strath, Skye.

the same in principle as the common custom of paying for the goodwill of a business.

Clearances, as they have been carried out in other places, have not been the custom here, excepting those carried out by the trustees. These were not carried out because the people were in arrears, but because their lands were wanted as a farm for a connection of the factor for the trustees. I stated this in the *Inverness Courier* at the time, and it was not denied. I had my information from the party who valued the lands for the said purpose, by authority of the then factor. In, I think, two instances, nearly sixty years ago, and only in one case since—a few crofters were removed in consequence of changes that were thought advisable, but they were all provided with places as good, and some of them with better places than those they had left. The tendency here has been quite in the opposite direction to depopulation. Nearly all the land now under crofters was held by tacksmen up to the beginning of the century, and even within my own recollection four farms now under crofters were in the occupation of tacksmen. More recently, Mr Macdonald, Formore, when factor, took land off the sheep farms of Knock and Corry, which he let to crofters, and off the farm of Kinloch, which he gave to the Breachlish crofters; and to the people of these farms he offered to let the valuable Island of Pabba, in their immediate vicinity, which they refused to take, as they thought they had not the necessary capital. I had ample opportunities of observing how matters were conducted, and I can with confidence say that Mr Macdonald, during his term of office here, was kind and considerate to the crofters,¹ never pushing them when in difficulty, but, on the contrary, treating them leniently, and generally taking a kindly interest in their affairs, and giving them time to pay, when he fairly might have taken stringent measures for the recovery of arrears. The small rise of rent (about 5 per cent.) which was made by him on the crofters' rental, and which brought so much unpopularity upon him, was a measure which he took in hand to save the crofters from what would certainly have been a much greater rise. On the coming of age of the late Lord Macdonald a revaluation of the estate was resolved upon by Lord Macdonald's Edinburgh agents, during the factorship of Mr Macdonald's predecessor in office. A professional valuator appointed by them, in the first place, valued the sheep farms, which were out of lease, and at a rate far above the old rents. Mr Macdonald, seeing this, and anticipating that the professional valuator would rack-rent the crofters, told his lordship what was likely to be the result, and asked and obtained his sanction to have a valuation by local parties, so as to make it as easy as possible for the crofters. The crofters were told six months before the term from which the rise was to take place, how the matter stood, and they acquiesced without a dissenting voice in the valuation at sight of Mr Macdonald; yet when it became an accomplished fact, his attempt to save them came (from the time of the first payment of the increased rent) to be construed into an act of oppression. I state the above facts as having been within my own knowledge at the time. I do not think that, even including the rise, the rents are high. There are few if any crofts which, if properly cultivated, and energetically worked, would not pay the rent and afford fair remuneration for labour—in point of fact, a good many of the poorer crofters do pay their rents

Evidence,
Q. 4627.

¹ A notice was produced by a delegate at Broadford, which had been sent to himself during the currency of the year, for which the rise of rent was laid on, intimating that the rise on the rent took effect from the Whitsunday preceding the date of the notice, which the delegate wished to imply, if indeed he did not say, was the first notice he had received of the proposed rise; whereas it was a matter known to everyone in the district that the valutors had, months before the date of the circular, inspected and valued the croft, and that at the rent audit at the previous Martinmas notice of the intended rise from the next Whitsunday was publicly given, and the explanation of the notice which seemed so ill-timed and arbitrary given by Mr Macdonald, is, that the irregularity arose from the negligence of his clerk, who omitted to issue it at the proper time.

from the produce of the croft, and have nothing to pay it with but the corn, hay, and pasture which they sell. Living thus from hand to mouth, as these and even the crofters in rather better circumstances than these do, is it wise to ask for fixity of tenure as a panacea for evils with which the nature of the tenure under which they occupy has really little to do? I am satisfied that no greater injury could be done to crofters under the present system than granting them fixity of tenure as commonly understood, and thus binding them more tightly to their poverty—no more effectual barrier could be opposed to their advance in the social scale—nothing would more effectually perpetuate indolence, helplessness, and dependence upon external aid, instead of relying upon their own exertions, and taking an honest pride in making themselves independent of eleemosynary relief. There must be a more healthy industrial condition before fixity of tenure can with advantage be given. In this quarter they have as much as they can well desire, for the crofts, with few exceptions, are occupied by the descendants of the original occupants, and have been so for three or four generations without a break in the succession. I hold the opinion very strongly, that crofters should be protected against forcible eviction, as long as they are not troublesome to their neighbours, as long as they obey the law, pay their rents, and follow the rules of good husbandry, the entire neglect of which, adds much to the poverty of the country at large, but I am as decidedly of opinion that they are not yet so alive to their own interest as to make a good use of leases. I have not a doubt that leases would be antagonistic to their progress, would make them more difficult to deal with, and render hopelessly permanent the various causes which concur in bringing about the state of matters for which it was intended that the Royal Commissioners should find some permanent remedy, though until the habits and ideas of the people are materially changed, it is difficult to judge in what direction an efficient remedy is to be found, but while in present circumstances I do not think leases would be advisable in the interests of the crofters themselves, I would in order to stimulate them to industry and to proper cultivation, advise the giving of leases to all holders of undivided crofts, as soon as they make their houses decently comfortable—as a good many have already done—and adopt a proper rotation of cropping; to give leases to holders of subdivisions would only be perpetuating poverty and making consolidation of subdivisions impracticable. In the event of the Commissioners coming to the conclusion that the solution of the difficulty is to be found in an extension of the crofting system, I would respectfully suggest that any new crofts which may be laid out, should not be of less value than £25 to £30 rent, including hill-pasture. With our poor soil and bad climate, nothing less will enable a family to live by the land. That extent of land would be something to look forward to by the smaller crofters, and would act as a stimulus to industry and thrift, and from that position when attained, an industrious crofter could in due time hope to rise to the position of a farmer, for now it is becoming evident that landlords are willing to break down their large farms into moderately sized holdings. How much can be done in this way to raise the status of the crofters, has been clearly illustrated by His Grace the Duke of Argyll, in Tyree, where we see not only that a good many of the crofters have by the good management of their landlords, and by their own thrift and industry, been raised to the position of farmers, but that a “steady improvement is visible among the smaller tenants, so that they are decidedly superior to others of their class in the West Highlands,” and “that while general progress is visible in everything, their houses are unique in comfort among the other cottages of the Highlands,” than which there can be no better test of a rise in the social scale. All this has been accomplished since 1853, and be it observed, that during the transition period, there has not been a single clearance or eviction in the island.

XIII.

Rev. Donald Mackinnon,
Strath, Skye.

XIV.

XIV. STATEMENT by the Rev. ALEXANDER CAMERON, Minister of Sleat,
Isle of Skye.

Rev. Alexander
Cameron,
Sleat, Isle of
Skye.

(See Evidence, p. 271 et seq.)

June 1883.

It is right to state at the outset that as I have only been about eighteen months in the parish of Sleat, I do not wish to be understood as writing with the same authority as would belong to one having a longer acquaintance with the district and people. At the same time, certain general, and to me very patent, facts have pressed themselves on my notice. It is to a short statement of those facts, together with a few remarks thereon which have suggested themselves to my mind, that I desire as much as possible to confine myself. It will be convenient to arrange what I wish to say under one or two separate headings.

I. As to the Actual Circumstances of the People in the Parish.

It is not always an easy matter to discover with certainty what these circumstances are. The people are generally reticent regarding them, and when statements are made, they must often be received with important qualifications. Nevertheless, I have little hesitation in saying that the most of the crofters are poor—many of them very poor. I am quite aware that many persons who know the country well, and to whose opinions the greatest respect and weight are due, firmly maintain that the people of this and other parishes in Skye are (as I have heard it put) “infinitely better off in all respects” than they were fifty, sixty, or seventy years ago. Various considerations are urged in support of this: e.g., the price of cattle is much higher than formerly; a large amount of merchandise is brought into the country, affording traffic to a large number of powerful steamers, as compared with one steamer trading to the west coast within the memory of not very old men; that people wear better clothes, and use many articles of food not thought of before, and so on.

I think that all this may be perfectly true, while at the same time the material prosperity of the general body of the people may not even yet have greatly increased. Among the considerations which lead towards this opinion are such as these:—

1. The mere change of articles of food is not necessarily a sign of increased comfort. The change from living for a great part of the year on shell-fish (as is said used to be the case) to living the whole year on such articles of diet as bad tea (often without milk), oat bread, sometimes potatoes, and perhaps eggs and herrings, though undoubtedly an advance, is yet not a prodigious one.

2. Comparing the people here with the same class on different parts of the mainland, the difference between them as to apparent comfort is remarkable. Neither the houses of the people here, nor their appearance and mode of living generally, as to food, clothing, and so on, present at all the same aspect of comfort as is common among the same class elsewhere. It is very probable that in some measure the people themselves are to be blamed for this, but that cannot be held to be the cause generally.

3. The people here, again, seem to be forced from one cause or another to live in a more from-hand-to-mouth sort of way than the same class apparently do elsewhere. The most of them seem to be never very far removed from a state of actual want. The test of a bad year brings this out clearly. Crofters, as well as most people in ordinary circumstances in other parts of the country, generally manage tolerably well to weather through the bad years by the help of the good years. Here, on the contrary, not only are many in straitened circumstances as a general rule in *all* years, but if any unusual unpropitiousness of weather, or other interference with the ordinary run of matters occurs, it seems to tell on the people with a severity which is unaccountable, except on the supposition that from one cause or another they are not so able to stand it as their brethren in more favoured localities. This last winter of 1882-83 was of course severely felt everywhere, but its effects were undoubtedly more disastrous in Skye and the Western Isles than in any other parts.

XIV.

Rev. Alexander
Cameron,
Sleat, Isle of
Skye.

4. Want of proper clothes, more especially in the case of women and children, but also frequently in the case of men, is one of the commonest excuses for non-attendance at church and school. And, certainly, if the clothing one constantly sees on children, and too often on women, in their own homes be taken as any indication of the general condition of their wardrobe, it must be set down as very scanty. Want of wool is often alleged as the cause. I am also informed that many who may be seen at kirk or market with fairly good, sometimes even with showy articles of outward dress, are very frequently obliged to neighbours for the loan of these, their own stock of upper and under clothing being of the smallest.

5. Most of the people are very deeply in debt to the local merchants, some I am given to understand to an amount scarcely credible. It is hardly to be supposed that a people who are regarded as honestly inclined, would choose to lie under this burden of debt could it be avoided.

II. Causes of the Present Condition of the People.

In regard to this there is one feature easily discernible, which ought to be always borne in mind, viz., that just as it is quite impossible to say that any one person in particular is to blame for the present condition of the people, so is it impossible to single out any one cause, or even set of causes, as the cause in particular of the present aspect of affairs. The present condition of the crofter population here, however it may be viewed, is the outcome of a great many causes, and of the conditions in general under which they have for many generations lived and moved and had their being. Into those conditions and causes it is unnecessary, even were it possible, at present to enter very minutely; but without pretending to any very exhaustive statement, two general classes of causes may be noted:—

I. Causes of an external nature, and beyond the control of the people themselves.

1. It is undoubtedly the case that the crofter population of the country has been dispossessed of much land. It is simply matter of fact that whole tracts of country once held by this class are now no longer held by them.

2. It is also matter of obvious fact that if the majority of those people are to be supported by the produce of the soil, the portions of land now held by them are far from sufficient to maintain them comfortably.

XIV.

Rev. Alexander
Cameron,
Steat, Isle of
Skye.

3. Unproductiveness of the soil is complained of, and it is no doubt the case. Among other causes (*beyond the control of the people themselves*) of this may be assigned—

(1) *Too frequent cropping, owing to small amount held.*
(2) *Want of any supervision, or instruction in, or incentive to the acquiring of improved methods of cultivation.*

(3) *The climate has undoubtedly changed, so as to be now very much less favourable to the operations of husbandry and the growing of crops than formerly. One proof of this seems to be that land in this district, even when in best condition and held by those who highly cultivate it, actually cannot, in many instances, be made to give the same returns or to pay as before.*

4. *Want of regular employment at public works, roads, or otherwise. Little or nothing in the way of regular work is to be had throughout the parish, and the want of it is much felt. That such employment would be beneficial is proved by the circumstance that a few families, the heads of which are in regular day's pay, are among the best off in the parish. It must, however, in strict truth be added that, when labour or any similar employment does chance to turn up, people are not always very easily satisfied as to wages.*

II. *Causes, more or less, within the control of the people themselves.*

1. *The unproductiveness of the soil so much complained of arises partly no doubt from—*

(1) *Bad farming. There is unquestionably an undue clinging to primitive and inefficient methods of husbandry, both as regards implements, tillage, manuring, time of sowing, management and cleaning of crops when growing, and so on, which acts hurtfully in the general result of the produce of the land.*

(2) *Over-cropping, consequent on the continued subdivision of the land, which in turn is the result of over-crowding. This over-crowding is no doubt owing partly to causes beyond the control of the people; but it is also in no small measure the result of what has been called "limpetism" on the part of the people themselves—a feeling, natural enough and so far commendable, of clinging to home and friends and country to their own loss, instead of, as they ought, "seeking fresh fields and pastures new." They have themselves (in spite of estate regulations to the contrary) subdivided their lots to such an extent that they now willingly, though when too late, acknowledge the folly of the custom. The fact is that, were not the land held by crofters in this parish more than usually fertile naturally, it would give no crops at all considering the usage it gets.*

2. *Want of greater energy (or perhaps of knowledge) in utilising those means of improving their condition which lie nearest at hand.*

Instances which more readily occur to one are such as—

(1) *Improvement of their houses, both outside and inside. The houses of most are in much the same condition as, by all accounts, they were in a hundred or more years ago. Whitewash is all but unknown. In not many cases indeed are the cattle housed under the same roof as the human beings; but then the manure-heap is suffered to lie so near the door in most cases as to make it a matter of the utmost discomfort and difficulty, and of no small generalship to approach the house in wet weather. Inside, the floor is always earthen, and in most cases very far from being even. The furniture and*

domestic appointments generally are not only of a very primitive kind (which indeed would not in itself be a *very* serious objection), but they often want that appearance of order and cleanliness which is usually associated with ideas of comfort. Houses, not very much better than many here, are to be met with in other parts of the country, but yet with an air of order, cleanliness, and comfort far superior.

XIV.
 Rev. Alexander
 Cameron,
 Sleat, Isle of
 Skye.

(2) The advantages of keeping a small garden seem to be quite unknown. I cannot remember a single instance of a crofter cultivating a garden.

(3) One cannot help thinking that the fishing round the coast (white fish) is not prosecuted so vigorously as it might be by the natives. Want of proper appliances, piers, and so on, is pled as the excuse; but that want might probably be overcome, to some extent at all events, if there was a will. East country boats carry away many pounds worth of white fish from the coasts here every season.

3. Improvident marriages are undoubtedly another cause of poverty. It is common enough (though I understand it is less so than formerly) for a young couple to get married with but little or no provision made for their future subsistence beyond a bothy hastily knocked up at the end of the father's house, and the liberty of planting a few potatoes in his already divided lot. There is besides not unfrequently more or less of debt hanging over either or both of the young couple.

4. With all this it is, however, but fair to add that in many instances women try to turn an honest penny by such expedients as sending away to the south, eggs, stockings, dairy produce, and so on.

III. As to Remedies.

It is a wide subject, and opinions on it differ even more widely than on the state of things to be remedied. A few of the more obvious suggestions only can be mentioned.

1. There does not seem to be any valid reason why such as wish to get, and can pay for, and have any reasonable prospect of profiting by more land should not have an opportunity of getting it, provided always, of course, that suitable arrangements could be made with proprietors. There is abundance of land for both large and small farmers, and the country would be all the better of having both; nor is it desirable, or even necessary, that the large should suffer at all, or proprietors incur any loss by the creation of smaller farms. I am aware that calculations are often made which are said to lead to a different conclusion, but taking an "unprofessional" and an entirely disinterested view of the whole matter, there really does seem to be plenty of room and of good land for all, provided only the thing were gone about with moderation, and with a sincere desire to do the best for all concerned. The system of club farms, which works very well in other parts, would no doubt do well here also if properly set agoing and managed with the help of some person possessed of greater knowledge and experience in the management and sale of stock than the people themselves generally possess.

2. There is undoubtedly much room for the encouragement and development of the local fishing industry—meaning thereby not merely the herring fishing, but the white fishing off the coasts on all sides all the year round. When Buckie men find it worth their while to come and remain for many weeks and send away hundreds of pounds worth of cod and other fish from our

XIV.

Rev. Alexander
Cameron,
Sleat, Isle of
Skye.

coasts, surely some means might be found of enabling the natives—most of whom are good sailors—to profit by the same industry. The system of attempting to combine crofter and fisherman in the same individual, however, militates against this.

3. The setting agoing of employment of some permanent kind is much needed in many ways. Chiefly, perhaps,—

(1) By the making of roads to and through more distant and inaccessible parts of the parish. There are two districts in particular—Aird and Tarska-voig—which are really very badly off in this respect.

(2) By the formation of piers at certain points along the coast. Except at Portree and Dunvegan there is no pier in the whole island of Skye alongside of which the trading and passenger steamers can be brought. The want of such a pier in this district is very greatly felt. With all the care that experienced and careful boatmen can exercise, the injury to and destruction of goods at the landing place at Armadale is very great. The shore is of the very roughest description, and the landing of goods is almost always attended with damage of some kind. The construction of smaller piers at some of the larger townships along the coast would be a great boon. There are four points specially where these piers would be of much use for such purposes as the protection and safe landing of boats and other gear, the landing of sea-ware, the prosecution of local fishings, and so on, all of which as at present carried on involve greater or less risk to limb or property.

4. While not an advocate for emigration on any large scale, yet I cannot help seeing that it would be the best thing in many cases for the poor people to do. Too many young men and women are content to remain here in a state, I shall not say of idleness, but often of something approaching to semi-idleness, and consequently of poverty, who, if they went to other countries, would undoubtedly very soon attain to comfort and independence. The same remark applies to young married couples without serious encumbrance.

5. Heavy school and poor and other rates are felt to be a serious burden. If a grant in aid from Government, or some other means of relief could be devised, it would unquestionably be well bestowed, and received most thankfully.

6. I do not know if matters pertaining to postal and telegraphic communication come within the scope of the inquiry by the Commission, but assuredly there is very much room for improvement in that respect in this district. The whole of this district, south from Broadford, has a mail only three times a week. It takes a week to get an answer to a letter from London, Edinburgh, or Glasgow; and if a letter for Portree or Inverness be posted at Ardyvasar on Saturday, it is the following Thursday before an answer can arrive. The Edinburgh and Glasgow newspapers of Friday and Saturday are not to hand till Tuesday following. A daily post from Broadford to Armadale is all that is asked in the meantime. An extension of the telegraph from Isleornsay for seven or eight miles to Armadale would be a very small matter to the Post Office, but would be an immense convenience to the parish in very many ways.

7. Besides what is actually done (and something is done) in the way of showing an active interest in the moral and material improvement of the people, and in their affairs generally, there is still room for more continued and personal effort in this direction. There are, of course, numerous lines which such interest might take. The people, for instance, might be helped

and encouraged to better their condition by such means as prizes, awarded at an annual competition, for best kept houses, for samples of agriculture produce (oats, potatoes, &c.), for dairy produce, home-spun cloth, stockings, and so on. A yearly show of cattle and ponies, with prizes offered for the best, would, without a doubt, be not only popular, but could not fail to be both interesting and useful.

XIV.

Rev. Alexander
Cameron,
Sleat, Isle of
Skye.

In closing, I would remark, that in all such matters as the attempted improvement of the crofter, or of any class of people, there is one principle which it seems to me ought to be acted upon, and that is the principle "*festina lente*." It must be a slow growth, and not a mere spasmodic spurt. Not by fits and starts, not by trying to do great things all at once, and then as suddenly getting discouraged and stopping short, is the desired amelioration to be brought about; but by the continued and patient use of those means of improvement, of those levers which have been elsewhere most successfully employed for the elevating of other classes of society. Some words written not long ago by Earl Cowper are well worthy of attention in connection with this matter:—"A great deal," says his Lordship, "may with advantage be done gradually, which, if attempted suddenly, would be disastrous. If you wish to fill a basin with water, you must pour slowly, for if you empty your jug straight in, you will make a great splash and a great mess, and your basin will only be half full after all."

ALEX. CAMERON.

XV.

XV. STATEMENT by the Rev. FINLAY GRAHAM, Free Church Minister,
Sleat, Isle of Skye.

Rev. Finlay
Graham, Sleat,
Isle of Skye.

(See Evidence, p. 271 et seq.)

F. C. MANSE, SLEAT, SKYE,
22nd May 1883.

I think that you will gather, generally, that the crofters are as a rule cooped up and crowded together in the most barren corners; that they have been deprived from time to time of their hill pasture, and that their hill pasture has been added to sheep farms, already large enough; that it is dangerous to have a large population of this kind, little removed from want and deeply sunk in debt to the merchants, while in many places in each parish, and all over the island, there is abundance of land formerly in the possession of tenants, who were evicted thirty years ago. This land should be restored at fair rents.

It is also evident that the present holders will not long give the present rents, as the pasture is running to *fog*. I would be sorry to see the landlords suffer in any way unnecessarily, but the Government will have to devise some wise means of breaking up, say, one large farm in each parish, or cut off parts of the large farms adjoining the townships of the crofters to widen their bounds.

Some might emigrate voluntarily, but a general emigration would be unwise, as they would be in poverty in those new lands, if they have no money in hand when leaving their native land. It would be better to assist them at home.

Two or more farms in the possession of one farmer is a great evil, and especially when the farmers are non-resident, and take little or no interest in the people in giving work.

The tenants should be encouraged to improve their holdings and their houses, and some guarantee that they would not be removed or their rents increased after effecting improvements.

The present agitation may have been to some extent assisted by outsiders, but I have no hesitation in saying that they have serious grievances.

I earnestly trust that this inquiry by the Royal Commissioners will issue in much good to the people, and that the landlords will not suffer by giving them back the land cultivated by their forefathers. I may be wrong, but I was of the opinion that crofters paid as high a rent in proportion to the large farmers, and it takes more than I have heard yet to convince me that they do not do so. I never met any of the crofters but are willing to pay any fair rent for good land.

FINLAY GRAHAM.

XVI

STATEMENT by the Rev. JAMES ROSS, Free Church Minister,
Bracadale, Skye.

(See Evidence, p. 325 et seq.)

FREE CHURCH MANSE,
BRACADALE, DUNVEGAN, SKYE,
2nd June 1883.

XVI.

Rev. James
Ross,
Bracadale,
Skye.

I received by the last post your letter of the 26th ult. I cordially thank the Royal Commission for the privilege of being permitted to make a written statement, as I was unavoidably absent when the Royal Commission met here. I have nothing particular to say; I am comparatively a stranger in this place. I was ordained in this parish by the Free Kirk Presbytery of Skye and Uist in August 1877. Since then I found the people very quiet and agreeable, and on the whole well behaved. The crofters are in general very poor and in straightened circumstances compared to what their forefathers were. How this state of matters was brought about has been well stated by the delegates chosen to represent the parish before the Royal Commission, and I need not therefore refer to it again. But notwithstanding the reduced circumstances of the people they are in their own way very industrious, striving to make an honest livelihood in trying times.

The children show great attachment to their parents, using all means in their power to supply their wants and to make them happy. The people are very fond of their native land. I believe they would not exchange their native hills and glens for any other place on the face of the habitable globe if they could remain at home. And when compelled to leave home, and when they find themselves home-sick in far off lands, the words of the Hebrew captives who said—

“By Babel’s streams we sat and wept,
When Zion we thought on,”

are still descriptive of their feelings. I trust, therefore, the Royal Commission will not countenance emigration, but that they will be the means of securing better and larger holdings for the poor crofters; for it is written, “In the multitude of people is the king’s honour: but in the want of people is the destruction of the prince” (Prov. xiv. 28). Trusting that the mission of the Royal Commission to the Highlands and Islands will be productive of much good.

JAMES ROSS

XVII

XVII. STATEMENTS by JOHN ROBERTSON, Esq., Greshornish, Isle of Skye,
and Factor for the Macleod Trustees in Glendale.

John
Robertson,
Greshornish,
Isle of Skye.

(See Evidence, pp. 362 and 363 et seq.)

GRESHORNISH, SKYE,
24th May 1883.

I wish to make a short statement as to my connection with the Glendale property :—

Mr Macdonald, Tormore, I understand, has explained the state of matters there up to June 1882, when I was first consulted and asked to take charge of the farms in possession of the trustees—Mr Macdonald, Tormore, having given them up.

Immediately after visiting Glendale, I advised that a portion of Waterstein should be given to the Milovaig crofters, but the trustees and their advisers were of opinion that the crofters must first remove their stock from the grounds they had taken forcible possession of; and, as proceedings had been taken in the Court of Session for this purpose, they were served with an interdict early in July by Mr Mactavish, the sheriff officer, and at the same time he had, with the assistance of the shepherds, their stock removed from the grounds of Waterstein, and they were kept off by the trustees' shepherds till the fishermen returned in September. In August, however, there was a complaint made to me by John Morrison, Milovaig, of the Borrodale sheep trespassing on the Milovaig hill grazings. I went with Morrison and the head shepherd to Borrodale, and told the crofters of this township that they must either sell off their overstock of sheep, or pay the Milovaig crofters for the grazing, which they agreed to do at the rate of 1s. for each sheep, and which was accepted by the Milovaig people.

I may here state that I have always thought that the Borrodale overstock was the cause of great confusion, and a great deal of the trouble, from first to last.

On the return of the Milovaig fishermen, they told the shepherds in charge of Waterstein that they must not interfere with their stock, or put them off Waterstein. Soon after this, or about the beginning of October, I was appointed factor, and on my first visit to Glendale I met one of the Milovaig tenants, and had a conversation with him as to whether the Milovaig tenants could stock Waterstein. He admitted that they could not; but he said that eight of their number would take the farm if the trustees would give it to them. I could not see that such an arrangement could benefit the other Milovaig crofters, and so did not recommend it to the trustees; but at a subsequent meeting that day of all the Milovaig crofters I agreed to give them a portion of Waterstein, on condition that they would pay the arrears, and remove their stock from the grounds. The following day I pointed out the extent of ground, and where I should propose making the march fence. It was on an average about 360 yards broad and two miles long. This offer they declined to accept, and in a few days after went in a body to the shepherds, and after

abusing one (Macdonald) they turned him off the property, and threatened the others if they again interfered with the Milovaig sheep or cattle. The proceedings afterwards against the Milovaig crofters for taking forcible possession were carried on by the agents of the trustees, the result of which ended in the Court of Session, and the imprisonment of the three crofters.

XVII.
—
John
Robertson,
Greshornish,
Isle of Skye.

I have no recollection of having a conversation with John Macpherson about imprisonment, so could not have stated that, but for me, he would have been put in prison long before; the fact is, I had no power one way or another. I do not think he was worse than the others; but he took a prominent part at the different meetings, and was, in consequence, one of those summoned for breach of interdict.

The tenants since on the property have mostly combined to pay no rents till the Milovaig people get Waterstein and other supposed grievances removed.

I should however state that a small number have paid unknown to the others, asking me when doing so not to make it known, in case of their being punished by the other crofters. The trustees would be glad if the Commissioners could make any suggestions as to what should be done under the circumstances.

I wish further to add, that since I took charge of Glendale the shepherds have been thrashed, and reported to have been stoned and driven from their duties. I have also been informed that the same thing has happened to the messenger-at-arms and his assistants, and to policemen, and, so far as I have heard, no criminal proceedings have followed in consequence.

JOHN ROBERTSON.

(See Evidence, pp. 190 and 198).

GRESHORNISH, SKYE, 16th October 1883.

Murdo M'Lean, one of the delegates from Edinbane, stated at Dunvegan as a complaint against my management of their club-farm, that I allowed the tenants no interest on sums realised for sales of the stock in September and October though the settlement did not take place till Martinmas (Q. 3687-3694). I was so surprised and taken aback at the complaints this man made, complaints which I never heard a word of till that day, that when explaining to the Commissioners in Portree that there was no interest due to the tenants, I forgot to state that the Whitsunday rent was payable at the previous Whitsunday, and had I been strict with them, I might have claimed six months' interest on the half-year's rent not paid till Martinmas.

I also wish to refer to the letter of Dr Fraser, of the Gesto Hospital, Edinbane, which the Commissioners asked to be allowed to take as evidence of the destitution (Q. 3832-4). In this letter Dr Fraser states that the wife and child of a Donald M'Innes had died of starvation some two years ago at Edinbane. There was at the time an investigation of this case by the Board of Supervision, and Dr Fraser gave a certificate that both died from the effects of drinking impure water.

JOHN ROBERTSON.

XVIII.

XVIII.
Rev. A.
Galbraith,
Raasay, Island
of Skye.

STATEMENT by the Rev. A. GALBRAITH, Free Church Minister,
Raasay, Island of Skye.

(See Evidence, p. 438 et seq.)

FREE CHURCH MANSE, RAASAY,
August 1883.

Having been from home when the Royal Commission visited this island, I was unable to appear to give evidence along with the other delegates chosen by the crofters. Personally, I had no wish to act as one of their representatives; but as they have chosen to elect me, and have since urged me to send in a written statement of their chief grievances, I cannot, consistently with my relation to them, refuse to comply with their wish. I am persuaded that such an inquiry into their circumstances as is now being made was greatly needed, and if, as the result of this inquiry, justice should be done to the poor, without injury to the landowners, I would feel satisfied that the Commission shall have done good service. I am now Free Church minister of Raasay for nearly sixteen years. During that time I have seen many changes in the island. It has been my lot to live under four proprietors—viz., Mr George H. Rainy, Mr George G. M'Kay, Mr Armitage, and the present proprietor, who is now in possession of the island over seven years. So far as I could learn from the public prints and otherwise, I agree generally with the statements made by the other delegates so far as they went. The crofts in general are too small, and the quality of their land very inferior. The greater part of the land held by them is scarcely fit for cultivation, or for sheep either. During the time of Mr Rainy, senior, the best part of the island—where the people should still be—was cleared of tenants to make room for a large sheep farm. I am told that between the years 1852 and 1854, the following *twelve* townships were completely desolated—viz., Suishnish, Eyre, Upper Fearn, Lower Fearn, Leac, Upper Hallaig, North Screpadale, South Screpadale, Castle, Manish, Doiredombain, and Lower Hallaig. The number of families removed from these townships is said to have been about 97. By far the greater number of these were sent away against their will, while a few left of their own accord.

A few families, about nine or ten of that number, were allowed to remain on the estate, and were settled among the other townships, whose land was not thought sufficiently good to be added to the sheep farm. The crofters who remained were not therefore benefited by these extensive clearances. Instead of being increased, their holdings were in some cases diminished, to make room for those families settled among them. Mr Rainy, junior, succeeded his father. He removed none, and was not at all disposed to do so, and during the short time he possessed the property, did everything in his power for the comfort of the people. His early lamented death led to changes far from favourable. The property was sold in 1872. The purchaser was Mr G. G. M'Kay, whose chief aim appears to have been to make pecuniary gain by the purchase. Accordingly he set immediately about increasing the rents. Rents were imposed on a number who paid none, and the rents which were before, and which were considered high enough, were in some cases nearly doubled. Taking an average of the

whole, the rise was nearly 50 per cent. The people at the time remonstrated, and were almost driven to open resistance. Whether rightly or wrongly, I did my best, in the interest of peace, to influence the people to agree to Mr M'Kay's terms, though I considered them very hard. The people were quite willing to take their lands at valuation; but the proprietor, perhaps thinking such a course might in some cases rather diminish than increase the rents, told them they must either agree to his terms, or leave the island. The poor people were unable, and probably unwilling to leave, and so they were compelled to submit. Since then the people believe—and I think justly—that they are far too highly rented; and it is not true, so far as I know, that in appearing before the Commission, they were influenced by any parties whatsoever, but by a sense of injustice which they think was done to them, in imposing a rent far beyond the value of their holdings. Looking at the extent and quality of their lands, the inconvenience resulting from their insular and outlandish position, the want of roads, and several other disadvantages, I have, after careful comparison with other places, come to the conclusion that their rents are among the highest, if not the highest, in the West Highlands.

Mr M'Kay's reign was short. In about three years the property was again in the market, and Mr Armitage, a kind, gentlemanly man, was the purchaser. He only kept the place about eighteen months, and having spent but one summer in it, he did little in the way of giving employment to the people, and left things pretty much as he found them. He spoke repeatedly to me of the injustice of having all the good land devoted to sheep, and all the worthless land given to the poor people. That is a grievance which still exists. The place was again bought in 1876, at a fancy price, by the present proprietor. Were I speaking for myself only, I would feel it just to say that I have always found Mr Wood kind and considerate; and I have precisely the same to say of all his predecessors, in my time, without exception. I think it due to him also to add, that in cases of sickness, and to widows, orphans, and other helpless persons, Mr Wood has been very kind and very generous. But notwithstanding all this, the crofter population have real grievances, and I am not going to say who is to blame for this, although I cannot help having my own opinion on the subject.

The high rents I consider a real grievance. I take as an example the township of Osgaig, one formed by Mr Wood himself. The tenants here are crofters on a small scale, the most of the men being employed by himself. The whole arable land here is not quite six acres, and the rent charged is, I believe, £18. That is more than £3 per acre, and the quality of the land is not good. Each tenant is supposed to keep a cow, and if he occupies a whole house of two rooms and a closet (not too much for an ordinary family), he pays a rent of £13. That is £10 for his house, and £3 for the bit of land connected therewith. If he must be content with half a house, then his rent is £8—being £5 for the one end of the house, and £3 for his land.

This land I consider more than double its value. As to the houses, after careful comparison with such houses elsewhere, I consider the Osgaig houses are at present double rented. They are plainly built, and should not have been costly houses. But I know not, and care not to ask, how much they cost; but simply as a question of value between man and man, I think they would be fully rented at from £5 to £6 each house. The people in this township are very poor, and becoming poorer every year. They are getting into debt, and by this time they have learned by experience that they cannot with their earnings pay their present rents and support their families. It must be admitted that

XVIII.

Rev. A.
Galbraith,
Raasay, Island
of Syke.

^ VIII.
 Rev. A.
 Galbraith,
 Raasay, Island
 of Skye.

the works hitherto carried on have been very helpful to the people. Still the sums said to have been expended on the place do not benefit the crofters to the extent that might be supposed. The works hitherto mainly carried on, from their nature, could not be permanent, and, besides, the larger portion of the money must have passed into the hands of various tradesmen and strangers from without. This must be from the nature of the works. The factor in his statement says that over £3000 have been, on an average, spent yearly in works to the inhabitants, and divides this over so many crofter families and individuals. I have no doubt as to the amount expended; I only wonder it is not greater, although it is small compared with the sum expended yearly in the time of Mr Rainy, senior. But it would be interesting to know how much of these thousands was actually paid to the crofters for work done. It is well known that large sums of money are yearly expended on the raising of game, and the payment of gamekeepers, as well as on the importation of feeding stuffs for cattle—a thing not formerly required when rabbits were fewer. It is very difficult to understand how money spent on these objects could benefit the crofters.

Then it is further stated that the number of people permanently employed in the place is about 94. I have taken some trouble to ascertain accurately who compose this permanent staff. I find that a goodly number are mansion-house servants, yachtsmen, gamekeepers, gardeners, shepherds, tradesmen of various kinds, salmon-fishers, farm-servants, &c. I find, further, that only about one-half of this permanent staff are *natives*, and fewer still—I would say not more than one-fourth—are in any way connected with the crofters. I do not say these things in the way of undervaluing the employment hitherto given by the proprietor, but simply to show that only a small portion of the sums expended really benefit the crofter population. Then as to the *circumstances* of the people, they are very poor, and worse off this year than I have seen them during my time. I cannot personally compare their state now with what they were in the time of the M'Leods. But I know the *present*, and I have tried every means in my power to discover what their circumstances were when the population was large—at or above a thousand—and the people were in possession of the most of the land. Some of the oldest inhabitants now alive—and I consider them trustworthy—have told me that in M'Leod's time the people were more comfortable than they are now. The able-bodied men *now*, as a rule, go to the East Coast and other fishings, and on these earnings they mainly depend for the payment of their rents, and the support of their families. In M'Leod's time no one, as a rule, left the island for work. The population then was much larger than now, but they had plenty of land, and between their crofts and the herring fishing about the island, they managed generally to pay their rents, and to live comfortably. Doubtless the failure of the potato crop had a good deal to do with the poverty of succeeding years.

But now that the potato crop is again doing better, if they had more land of better quality than they have, I believe their circumstances would be considerably improved. As to those generally employed on day's pay about the farm, I do not think there is any improvement. In Mr Rainy's time the wages were, as a rule, 12s. per week. With this they had as much potato land as they wished to plant, got their coals landed and carted by the proprietor's horses free of charge, and had their houses *rent free*. *Now* they receive, as a rule, 13s. per week for six full days' work. Some have little or no potato land; they pay for the landing and carting of their coals, and pay *full rent* for their *houses* besides. In face of these facts, I regret I cannot say with the factor, in

his statement, that 'the position of the people now, as compared with their 'state in 1876, is one of great improvement.' Again, as to the *general health* of the people, I regret to say that sickness is on the increase. Two young men who were last year at the fishing, died this summer of consumption—a disease which is on the increase, and which, I believe, in most cases is traceable to cold and poor feeding, when the men are from home at the East Coast and elsewhere. In order to save as much as possible, they live too cheaply for their comfort and health. I have no doubt that poverty has a good deal to do with most of the cases of sickness. A medical man of considerable experience, who spent a couple of years in the island lately, on being asked what the prevailing disease in the island was, replied—'The prevailing disease is poverty, and the chief remedy is food.'

XVIII.
—
Rev. A.
Galbraith,
Raasay, Island
of Skya.

But in my opinion the greatest grievance in this island now is the loss by game. I do not profess to be able to state this fully, nor can it be understood by any who are not eye-witnesses. Mr Wood's representatives admitted, I believe, before the Commission, that 'he bought Raasay as a sporting estate 'more than anything else.' The manner in which the estate affairs are managed, shows that this statement is strictly true. Game is the first and principal consideration, and everything else appears very secondary as compared with this. This being the case, however kindly Mr Wood is disposed to be—and he is kindly disposed—yet the crofters must suffer serious loss. The Rona people have no ground of complaint on this score, as there are no rabbits there, and winged game are comparatively few. But the Raasay crofters suffer very serious loss. I am aware that *three* parties received compensation at Martinmas last. Probably the rest did not apply, partly because they did not wish to be troublesome to their proprietor, and partly because they might fear that if the complaint became as general as the loss, they might expose themselves to serious consequences. They are tenants-at-will, and such a state of things is not fitted to cherish a spirit of independence. I believe the island of Raasay is at present fully stocked with rabbits, although all the sheep and cattle were at once cleared off. This is becoming more apparent every day. The large sheep farm in Mr Wood's own hands formerly carried over three thousand sheep. Now the stock is about the half of that number, and the reduction is mainly through the want of grass. The losses during the past year have been so great, that now, I understand, it is proposed to send off the remainder of the sheep, rather than leave them here to starve. One thing is plain, the island cannot support a full stock of sheep and a full stock of rabbits. Meanwhile the rabbits have practically cleared the ground for themselves, or will speedily do so, unless they receive a very effectual check.

I have been told by the keepers that so many as *fourteen thousand rabbits* have been killed in a season. The number that die of starvation and other causes is very great. If we suppose (and it is no extreme supposition to make) that as many live as are killed, that would make a total of thirty thousand. And if we allow that seven rabbits eat as much grass as one sheep, then we have a stock equal to more than four thousand sheep, which would be enough for the *whole* island of Raasay to support, even if the place was completely cleared for themselves. The crops and grazings of the tenants in the north end of the island are entirely unprotected from the ravages of these vermin, and the loss, as I can testify from observation, is very great. Except for a few months in summer, they have little or no grass for their cattle, and, in several instances, the few sheep they have remaining are scarcely worth mentioning. How can it be otherwise, when so many of these destructive 'creatures' come in for their

XVIII.

Rev. A.
Galbraith,
Raasay, Island
of Skye.

share of the little grass they have! The people have been feeling it a sore grievance, that they should have to cultivate the most inferior land, and pay such high rent for it, while the best part of the island was under sheep. But instead of diminishing, it will only increase the grievance manifold, if, as is now supposed, the best land in the island is to be practically, if not wholly, converted into a rabbit warren. I admit that proprietors who have the means and inclination are entitled to a reasonable amount of sport; but I do not think it a kind treatment of his tenants, on the part of any proprietor, that he should reserve the best of his lands exclusively for sporting purposes, and leave the people to continue delving miserable patches, that can never repay the labour bestowed upon them.

If this system is to become general, it will be fraught with serious evils to the country, as well as hardships to the crofter population. The people do not think they have liberty to kill rabbits, and if they had permission, they have not the means wherewith to kill them. I believe dogs are not allowed, except in a few instances; and if a cat should venture outside a door, a gamekeeper is watching with poison, traps, or gun to destroy it.

Besides, over two thousand pheasants are reared annually, and these are to be found over all parts of the island. The factor is reported to have said that these are amply fed in the preserves, and consequently have no inducement to wander into the crofters' crops. The fact is, they wander wherever they can get food. He lives in Inverness, and does not see the crofters, or their crops, but seldom. He generally sees the crofters at 'rent time'; but as for their crops, I question if he sees them at all. I live, however, in Raasay, and see for myself—hence the difference of our observations and experience. I feel strongly tempted to notice several other matters referred to in the factor's statement, but I fear I have already taken up too much space and time, and so I must be done. The foregoing I believe to be a *fair* representation of the views of the people, as well as of my own, on the subject of their grievances. I now come to state, in a few words, some of the remedies which appear to me required to meet the case.

(1.) I should like, if possible, to see the crofters with more land, provided it was land worth having, and that they had it at its value. In my opinion, the people here would not be much the better of getting more of such land as they have at present. If they had more good land, and were protected from vermin, I believe they would prosper better, and be in a better position to get through, when a hard year, such as the past, came upon them. I know there may be difficulties in the way, but if it could be done, I do not think the proprietors would suffer any loss, and I believe the people would be benefited. I cannot conceive how proprietors would be losers, if it be the case, as I think it is, that crofters pay more per acre for their lands than the tacksman does.

(2.) I believe proprietors and people alike would be benefited, if the power of factors was more limited. In many cases, I believe, the grievances are largely due to them.

(3.) I would desiderate for the crofters better security for their holdings than at present. Tenancy-at-will involves uncertainty, which not only prevents the improvement of their houses and lands, but is unfavourable to a reasonable measure of independence, to which every man is entitled who conducts himself properly, and pays his way.

(4.) In every case of dispute about the value of a crofter's lands, it would be a fair thing, for proprietor and tenant alike, that the question be settled by

competent valuers. This would greatly do away with anything which looks like oppression, and causes in many cases a feeling of dissatisfaction.

(5.) That all damage to crops and grazings by game, and especially by rabbits, should be estimated by valuers, and not by proprietors or their factors. For the present, at least (though I trust not permanently), this island is quite spoiled with rabbits. It could scarcely be expected that any parties who prefer rabbits not only to sheep, but to people, could be impartial judges as to the amount of damage done. I am thoroughly satisfied that if the crofter population generally are to receive justice—and we ask no more for them—this must be secured to them by the law of the land. I trust the *Report of the Commission* will be followed up by practical legislation, and I do not know any places that more urgently require this than properties 'bought as sporting estates more than anything else.'

XVIII.

Rev. A.
Galbraith,
Reassay, Island
of Skye.

A. GALBRAITH.

XIX.

XIX.

Alexander
Macdonald,
Esq. of
Treaslane,
Skye.

STATEMENT by ALEX. MACDONALD, Esq. of Treaslane, Skye, and
Factor to Lord Macdonald.

PORTREE, 16th August 1883.

I was duly favoured with your letter of 21d June last, wishing me if possible to give an abstract of prices of Highland stock for the years 1852, 1862, and 1872. It would have given me much pleasure indeed to have replied before now, but it took me some time to obtain the necessary information, and I regret to say that even now the information which I have been able to obtain is somewhat imperfect. The following information, however, may be found useful. The price of blackfaced sheep for the years mentioned will be found to be as follows, viz.:-

In 1852,	Blackfaced	Wedders	were from	23s. Od.	to	27s. Od.
"	"	Ewes	"	14s. 6d.	"	16s. 6d.
"	"	Lambs	"	8s. Od.	"	11s. 6d.
" 1862,	"	Wedders	"	17s. Od.	"	27s. Od.
"	"	Ewes	"	12s. Od.	"	18s. 8d.
"	"	Lambs	"	6s. Od.	"	12s. 0s.
" 1872,	"	Wedders	"	31s. 6d.	"	45s. Od.
"	"	Ewes	"	18s. Od.	"	32s. Od.
"	"	Lambs	"	12s. 6d.	"	18s. Od.

The prices of Cheviot stock were as follows, viz.:-

In 1852,	Cheviot	Wedders	were from	21s. Od.	to	32s. Od.
"	"	Ewes	"	15s. 6d.	"	23s. Od.
"	"	Lambs	"	8s. Od.	"	14s. 6d.
" 1862,	"	Wedders	"	27s. Od.	"	37s. 6d.
"	"	Ewes	"	17s. 6d.	"	28s. Od.
"	"	Lambs	"	10s. Od.	"	16s. Od.
" 1872,	"	Wedders	"	45s. Od.	"	56s. Od.
"	"	Ewes	"	32s. Od.	"	42s. Od.
"	"	Lambs	"	16s. Od.	"	22s. Od.

The prices of wool for the same years were as follows, viz.:-

In 1852, the price of laid Cheviot wool was from 13s. to 15s. per stone, and of laid blackfaced wool from 8s. to 9s. per stone.

In 1862, Cheviot wool averaged from 18s. 6d. to 26s. per stone, white Cheviot from 30s. to 37s. per stone, and laid Blackfaced from 11s. 6d. to 16s. per stone.

In 1872, laid Cheviot wool was from 26s. to 37s. 6d., white Cheviot from 40s. to 48s.; and laid Blackfaced from 18s. to 21s. per stone.

I have had considerable difficulty in obtaining information about the price of cattle for the same periods, but you can readily obtain it, I think, by referring to the files of some of the current newspapers at the time. I have been able only to obtain the following information:-

In 1873, Highland stirks made from £6, 10s. to £8, two-year-olds from £10 to £14, and three and four-year-olds from £15 to £19, and some choice animals as far as £21 and £22. Before the extraordinary rise in the price of cattle, from £10 to £12 was thought a high figure for the choice descriptions.

ALEX. MACDONALD.

XX

STATEMENTS concerning Properties in Skye.

- (1) FROM ALEXANDER MACDONALD, Esq., of Treaslane, Factor for Lord Macdonald, Macleod of Macleod, Major Fraser of Kilmuir, &c.

(See Evidence, pp. 81 and 126 et seq.)

NATIONAL BANK, PORTREE,
ISLE OF SKYE, 27th May 1883.

At the request of Major Fraser of Kilmuir, Isle of Skye, I now send enclosed a letter from him addressed to the Commissioners, which please have put up with the records of the Commission. The letter, which is dated the 25th current, specially contradicts statements made by Mr D. Maclachlan at Portree to the effect that the present action is not due to Irish agitators.

I may mention that I am able to corroborate what Major Fraser says in his letter.

While writing about Kilmuir, I may add that in giving my own evidence, I was uncertain whether certain crofters removed from Glenuig had got new lands, or had got merely portions of lands held by other tenants. I have since ascertained that some of them got entirely new lands not previously under crofters, while others emigrated.

I have also to add that at the time when the rents of the Macdonald estate were lowered about 25 per cent. in 1830, the estate of Kilmuir was then a part of it, and participated in the reduction, which of course shows that it could well bear a rise of rent in modern times.

I have also to add that in 1870 Major Fraser supplied his crofters with corn and potatoes to the value of about £700, and in 1877 he supplied oats to them to the value of £850, of which £250 remains still unpaid.

Macleod of Macleod supplied his crofters with oats and potatoes this year. Lord Macdonald supplied them with potatoes, and Mr M'Alister of Strathaird and I supplied our crofters with oats and potatoes; all to relieve the destitution of the present year. These supplies have been made on the understanding that repayment is to be made, but the purchase and supplying were effected at no small inconvenience to the proprietors named, and will no doubt be attended with loss. In addition to former supplies mentioned, Major Fraser of Kilmuir this year supplied his crofters with corn and potatoes on the same terms as the proprietors first mentioned.

With reference to Major Fraser's letter enclosed, I send enclosed copy of a memorial addressed to him on 17th April last, signed by his tenantry, large and small, clergy, schoolmasters, &c., which could hardly have been signed if the sentiments of the people were at the time those indicated by Mr Maclachlan in his evidence.

Trusting that you will be good enough to publish this letter along with the rest of the evidence given, and statements handed in, as it is important that both sides of matters should appear before the public.

ALEX. MACDONALD.

XX

Statements
concerning
Properties in
Skye.

Alexander
Macdonald.

XX.

(2) From Major WILLIAM FRASER of Kilmuir and Newton.

Statements
concerning
Properties in
Skye.

Major William
Fraser.

NEWTON MAINS, 25th May 1883.

I observe in to-day's *Scotsman* that at yesterday's sitting of the Commission Mr D. M'Lachlan stated that the present agitation is not due to Irish agitators, but that it began more than twenty years ago on my property, and that it broke out again at Valgos three years ago; further, that the discontent had been mainly nourished on Major Fraser's property. Now, I am quite aware that there are parties who have been endeavouring to promote discontent on my property, sometimes one, and then another. For instance, in 1878, I had occasion to raise an action against the *Highlander* newspaper, which had made certain statements with reference to myself and my secretary, and under which that paper was fined £50. The interlocutor in my favour states:—'What then has the pursuer to fear from the *mendax infamia* which coins false facts and false motives, from all that falsehood and malice can invent, or the credulity of a deluded populace can swallow.' No disturbance, however, was raised at the time on the property, and it was not until 1881, the year of Irish legislation, that an attempt (if it could be called such) at disturbance took place at Velto.

Now I quite admit that Mr M'Lachlan may know more of any ramifications of discontent on my property than I do, yet I cannot admit the accuracy of his statements, made, I suppose, in reply to my statement read on Wednesday last, which stated that in my opinion the present disturbed state of things in Skye is very much due to agitation in consequence of late events in Ireland, non-vindication of the law in certain parts of Skye, and bad seasons, whilst likely their hopes have been much raised by expectations of certain changes. Now, if there had been the discontent which Mr M'Lachlan says, I ask, is it likely that, with what went on at the Braes and Glendale, that I or my factor could have been able to keep my people quiet or orderly as they have been.

Not wishing to take up your time too much in the midst of so much work, I just enclose copy of a memorial sent to me last month, before the general agitation of this month was got up; it is extracted from the *Inverness Courier* of 17th ult., and I beg to submit that the sentiments my tenantry express therein are incompatible with what Mr M'Lachlan states. I may add that, if desired, I can produce the original document, which is signed by the tenantry large and small, clergy, professional men, schoolmasters, and others throughout the district. I do not suppose that Mr M'Lachlan will venture to gainsay the truth of the statements as expressed in it.

'Memorial for a Quay at Uig.

'The following memorial has been signed by upwards of a thousand tenants and fishermen on the Kilmuir estate, and is in a few days to be sent to Major Fraser. A largely attended meeting was held in Uig Inn on Monday last—Mr Urquhart, farmer, Glenconnon, in the chair. It was unanimously resolved to make every effort to bring the views which are embodied in the memorial before the Government.

'The memorial is as follows:—

'We, the undersigned, tenants and others on the Kilmuir estate, Skye, desire to convey to our esteemed proprietor, Major Fraser, our best thanks for the

‘kindly interest he has always taken in everything calculated to promote our welfare, and at the same time to lay before him the views of a meeting recently held by a number of us. It was the unanimous opinion of the meeting that nothing would so much promote the interests of residents on the Kilmuir estate as the erection of a quay at Uig, for the following reasons:—

XX.
Statements
concerning
Properties in
Skye.

‘1st. The fishing fleet of Uig being the largest and most valuable in Skye it is of the utmost importance that it should have harbour accommodation which would prevent the recurrence of such a disaster to boats and fishing gear as that of November 1881.

Major William
Fraser.

‘2nd. People travelling ten or twelve miles to send and receive goods by steamer, often have to return without having effected their purpose, and goods left for several days in winter in an open boat in the loch are often damaged, and sometimes totally destroyed. All this would be obviated by the erection of a quay.

‘3rd. To vessels of large tonnage running in for shelter, as they often do, and vessels coming with cargoes, a quay would be a great boon. It would increase the safety of both, and enable the latter to discharge cargoes at any time—a thing which can be done at present only during favourable conjunctions of wind and tide.

‘We are the more encouraged to lay this before our respected proprietor, as he has given ample evidence of a sincere desire to improve our condition in every practical way, and by giving this matter the attention which we think its importance demands, he will add to the many benefits he has already conferred on us, and command our lasting gratitude. We are aware the construction of such a quay as we propose will cost a large sum of money, but Uig being a place of importance, a good natural harbour, already supplied with roads, and being a telegraph terminus, no doubt, in a very short time, it would become one of the best fishing stations on the West Coast; so that we hope you may think proper to bring the matter before the Government, and that they may take a favourable view of our application.’

May I request that if Mr M'Lachlan's remarks are entered against me in evidence, that this letter and memorial may also be so entered; and further, may I respectfully ask acknowledgement of this communication.

WM. FRASER.

Extract from a Letter signed by Velkos Tenants to Major Fraser, of date 26th October 1881.

‘We also wish to express our regrets that you are prevented from visiting your estate of Kilmuir oftener, and to assure you that none of your tenants would be more glad to see you coming and going among them, and that from none would you receive a more loyal welcome than from your Velkos tenants. We hope you will soon find it convenient to visit Kilmuir again. We remain, sir, your grateful tenants.’

XXI.

XXI.

NOTES ON KILMUIR, ISLE OF SYKE, PROPERTY OF MAJOR
WILLIAM FRASER.Major William
Fraser, Kil-
muir, Isle of
Skye.*(See Evidence, pp. 81 and 126 et seq.)*

May 1883.

As showing how little the parish of Kilmuir has progressed in point of rental from early times to this date, as compared with the county of Inverness at large, and thus indicating what scope there may be yet in store for its future development, the following comparison is given. It appears that the valuation roll of the whole county in the year 1644, exclusive of the burgh of Inverness, amounted in pounds Scots to £132,225 : 17 : 8, the rental in 1881, in pounds sterling, and exclusive of railways and canals, amounting to £322,873 : 17 : 9 ; increase from pounds Scots to pounds sterling from 1644 to 1881 being about 144 per cent. Now in 1644 the valuation roll of the parish of Kilmuir amounted in pounds Scots to just £3866 : 13 : 4, whilst in 1881 it amounts in pounds sterling to £5827 : 10 : 6, being an increase from pounds Scots to pounds sterling of only 50 per cent, as against 144 on the part of the whole county,¹ whilst in such respect Kilmuir will also bear comparison with other districts similarly placed. Of late years, say from 1854, it would appear that the rate of increase on Kilmuir is about the same as the average rate of the whole county, during that time the parish having increased much in value through improved means of communication, local outlays, and other sources, not omitting the increased value of stock.

It may be mentioned that Skye, until railway communication was opened up a few years ago to Strome Ferry, was, as compared with many parts of Inverness-shire, very remote, whilst farm husbandry in the island has to a great extent gone on much in the old way, which applies very much to Kilmuir, that parish having only recently been opened up by good roads. It may be also added that in the olden time Kilmuir parish formed a much more important district than of late. Duntulm Castle, known as the ancient seat of the Lords of the Isles, occupied its position in the northern extremity of the parish, whilst a noted monastery, dedicated to St Columba, stood on an island on Loch Columkill, not far from the present residence of Monkstadt, which became the mansion of the Macdonald estates on Duntulm Castle being disused. These great places naturally had their smaller surroundings, and it was probably in part owing to all such, in conjunction with the fact of there being such a great extent of good land throughout the parish, that much attention was at one time drawn to it, whilst the decrease of the importance of the neighbourhood has for a time, perhaps, caused the district to be now comparatively less known and enquired after, unless by those interested in the noted sheep and cattle of the district, and by travellers visiting Quiraing and other spots of interest in that picturesque neighbourhood.

It was thus that, owing to its early fame, an attempt was made in 1598 to

¹ For further information on the subject, *vide* an interesting little work on the Land Statistics of Inverness, Ross, and Cromarty, by Hugh C. Fraser, Inverness, from which the above information as to the valuation of 1644 is taken.

improve the lands of Kilmuir by letting such to an influential Lowland company, and which transaction might have been attended with good results, were it not that succeeding feuds betwixt the clans of Macdonald and Macleod desolated the district, and in time put an end to the arrangement.

Such, indeed, was the character of Kilmuir as an arable district, that it was formerly known as the 'Granary of Skye.' It is so referred to by Pennant, who travelled through it in the year 1772, and it was on his way there that, passing through Uig, he noticed the heavy crops waving with the breeze, and thus described that place as 'laughing with corn.' As to Loch Columkill, it is now drained, its former bed forming an expanse of rich alluvial soil, annually yielding great crops of hay. The lake extended to nearly 300 acres; the work of draining it became a heavy one during the years it occupied, the outlet from what was lake to the sea being nearly a mile in length, whilst part of it is 35 feet deep, and 114 feet wide at the top, gradually sloping in to 9 feet wide at the bottom.

Dean Munro, in his work of 1594, refers to the 'fertill land in Skye excelling 'aney uther ground for grassing and pastoures;' whilst Martin, who writes in 1716, in remarking on the arable land in parts of Skye, speaks of the soil 'as 'very grateful to the husbandman,' and mentions the great returns of oats and barley that he heard of in certain places. He also speaks of 'Lochuge as a 'proper place for settling a magazine or colony,' being one of the places most abounding with fish. MacCulloch, in his instructive work of 1824, also refers to the 'Plain of Kilmuir, emphatically called the Granary of Skye.'

Perhaps the most exhaustive work on the agriculture of the Hebrides yet published is that drawn up under the direction of the Board of Agriculture in the year 1811. The following is an extract from it:—

'In parish of Kilmuir, in the fine district of Trotternish, there are 4000 acres of as fine loam and clay upon a gravelly bottom as are to be found in Scotland. With good management, that land would, in Skye, be worth three guineas per acre, in East Lothian five. Some fields have been under crops of barley and oats without any rest for twenty years, and with scarcely any manure. The whole district is admirably calculated for turnip husbandry, and for the established rotations of crops on the best of soils.'

It may be added that the system of farming generally pursued continues much the same as it was in 1811, and consequently portions of the lands have since been almost continuously kept under grain crops, still producing very much better returns than could possibly be expected under such a mode of agriculture. Also, owing to circumstances, the lands generally are not at present laid out to best advantage, but when this is remedied, and a general system of improvement is entered upon, much may be hoped for under it, and the present revenues of the district will then prove no criterion of what they may be brought to, whilst the agriculture and fishing populations may expect to reap as much benefit from the works to be carried out, as may accrue to the employers from their labour. Should any of the minerals prove workable, or should any works be started,—such as the manufacture of Roman cement, as has been already proposed, or of porcelain,—such of course would form invaluable sources of industry in the district. As to harbours, that of Uig, by the erection of suitable quays, might be converted into an excellent one for general purposes; that of Duntulm, overlooked by the ruins of the old castle, is also available, as well as that of Cuidrach, the present residence being on its north side; whilst Castle Uistean lies to the south of it, not far from the ruin of Peinduin, also on the same farm, and once the residence of 'Flora Macdonald.'

XXI.
Major William
Fraser, Kil-
muir, Isle of
Skye.

The following is a state of the acreage of the farms and townships and average rents per acre, payable by the tenants 'in cumulo' on the estate of Kilmuir, which includes the parish of Kilmuir and a division of the parish of Snizort, also the average rents per acre of the large tenants, or tenants of farms and the average rents per acre of the small tenants, or tenants of townships:—

	A.	R.	P.
Farms Arable, &c.,	4,561	2	33
„ Pasture, &c.,	17,882	2	26
		<u>22,444</u>	<u>1 19</u>
Townships Arable, &c.,	4,149	1	0
„ Pasture, &c.,	18,402	3	11
		<u>22,552</u>	<u>0 11</u>
		<u>44,996</u>	<u>1 30</u>

Practically, then, the estate consists of say 45,000 acres, of which say one-half, or 22,500 acres, are possessed as farms, and other 22,500 acres as townships.

The rental of 22,500 acres of farms as from Whitsunday 1881 to Whitsunday 1882 is	£4071	15	0
And rental of 22,500 acres of townships is	3000	6	6
	<u>£7072</u>	<u>1</u>	<u>6</u>

Thus the whole estate pays per acre rather under	£0	3	1 $\frac{3}{4}$
The farms pay rather under	0	3	7 $\frac{1}{2}$
The townships pay exactly	0	2	8

About one-fifth of the land of the farms is arable, whilst the proportion of the arable land of the townships is rather less, being betwixt a fifth and a sixth; but nevertheless much more land is tilled by the small tenants than by the large ones, so much of the arable land on the large farms being kept under grass.

For past two years a temporary abatement of twenty-five per cent has been taken off the townships, so that for that period the townships have paid only 2s. per acre over arable and pasture lands, and that notwithstanding the nature of the soil, and the unusually large proportion of arable land to pasture land for a Highland estate.

XXII.

STATEMENT of Major WILLIAM FRASER of Kilmuir and Newton.

XXII

(See Evidence, pp. 81 and 126 et seq.)

Major William
Fraser, Kil-
muir, Isle of
Skye.

NEWTON, NAIRN, 16th October 1883.

I observe in the *Inverness Courier* of to-day, that on Saturday it was mentioned to effect, by the Chairman of the Commission, that if any gentleman wished to send a written statement with reference to the proceedings there, that he could do so. I also observe that at your sitting of yesterday at Kingussie, I am referred to, both as to my family and my small tenants in Strathglass of days gone by, and also as to my distinctive Gaelic name 'Mac Uistean'; on these grounds I venture to again address you

In doing so, however, I pass from what may seem of more or less a personal character, and, taking broader grounds, it appears to me that the crofter question has, on the whole, been perhaps too much scanned from extreme points of view. One deprecates the crofter system *in toto*, another lauds it to the skies—perhaps we should look more to the happy medium; for my own part, I place my faith in a mixed system of large farms, medium farms, small farms, and a sufficient but not excessive number of crofter allotments. It is an old saying that *enough is as good as a feast, and more makes a surfeit*,—so with crofters, where congested (as the term now is), they do not thrive, and as a class do not present that happy and contented frame of mind pertaining to those who, in smaller bodies elsewhere, find sufficient employment for their labour. Besides, as the arm which is scarcely used loses its muscle, so with labour that is seldom exacted, its motive power degenerates, and thus, in places where there are large populations, with little or no public industries to support them, indolence becomes a second nature, and provides a subject fit for the manipulation of those who, in agitation and discontent, see the *summum bonum* of a crofter's paradise. In illustration of this, let us see where there are strife and discontent, and, on the other hand, where there appear to be peace and prosperity. Skye and Lewis are said to be pretty well peopled. What is the result of an over-crofted system there? The crofters give us their tale, and what is the deduction? Too many mouths and not enough to fill them. Then take the mainland opposite. Shall we say that they are contented there? The same complaint I fear prevails, only limited by the mouths being fewer in proportion to the number of fillers. We then step inland: it's all still, little is to be heard beyond the wind sighing through the forest heaths, and the sound of running waters. We inquire, and find we have left the crofters and are amongst the deer and ptarmigan. Few Highlanders here, unless four-footed, and apparently little material for royal inquiry. Having crossed the heights of the country, we now fall into the straths and opens of the eastern watershed. Here we find estates well laid out, mansions in fair abundance, nice farms, and good farm-houses, with a suitable sprinkling of crofters here and there, fit for their work, and which almost at their doors they get. And what is the result?—peace and contentment. And so it is then, I think, that a fair and moderate number of crofters on his estate, in suitable

XXII.

Major William
Fraser, Kil-
muir, Isle of
Skye.

proportions to its value, and with ample occupation for them, is what any reasonable landlord would be glad to have. But is it desirable that large numbers of people, even though of good ancestry, and naturally of themselves well disposed, should be encouraged to remain at home in a state of inactivity as regards physical employment, to be the tools of agitators and the victims of political enthusiasts, when, for all that may choose to improve their condition, there are fertile lands in the further West only awaiting to be tilled, and to return in many-fold the results of labour spent thereon? With my own experience of the Far West, the South, and the East, I can only feel it as a deplorable fact that so many should in ignorance, and perhaps for the benefit of other interests, be induced to remain in their undrained and sunless wastes, when happy lands elsewhere are ready to welcome them. Whilst, then, I think a certain number would be immensely benefited by emigration from congested districts, I think likewise those remaining would also be improved in condition by finding more work and occupation; for, of course, if the demand for labour should come to equal the supply, so in proportion would be the benefit to those remaining in their native homes. Hoping that the present agitation, and its companion—Poverty, may now receive a check by a return to peace and ordinary industrial pursuits.

WM. FRASER.

XXIII.

1.—NUMBER of DECREES of REMOVING from Agricultural Small Holdings obtained against Crofters on the various Estates in the Isle of Skye in each year from 1840 to 1883 inclusive, ascertained from the Records of the Sheriff Court at Portree. (See Evidence, p. 633, Q. 10041.)

XXIII.
Number of
Decrees of
Removal from
1840 to 1883.

Year.	Lord Macdonald's Estate.	MacLeod's Estate.	Glendale and Husabost.	Watermish, Stein, and Lochbay.	Greshernish.	Coisletter.	Edinbane, Skeabost, Bernisdale.	Skeabost, and Bernisdale.	Lynedale.	Trialsan, Clachamish.	Kilmuir (Capt. Fraser's).	Strathhind.	Raasay and Rona.	Yearly Totals.
1840	36	6	5	.	.	.	.	.	.	.	.	.	2	49
1841	46	7	1	.	.	.	.	.	.	1	.	.	.	64
1842	33	2	.	.	.	.	.	.	.	.	.	.	6	41
1843	40	10	3	1	.	.	1	.	.	.	.	6	11	72
1844	40	15	.	1	.	.	9	.	2	.	.	1	.	68
1845	26	6	2	.	.	.	9	.	.	.	.	3	11	57
1846	41	4	6	.	.	.	6	.	1	5	.	.	23	86
1847	52	2	4	4	1	.	8	.	.	4	.	.	8	83
1848	30	13	.	1	1	.	8	.	.	8	.	5	8	75
1849	53	.	2	.	.	2	7	.	1	2	.	7	4	77
1850	73	22	5	8	.	.	12	.	1	.	.	7	4	132
1851	10	2	1	5	.	.	9	.	.	1	.	5	6	39
1852	47	11	.	2	.	2	7	.	.	1	.	6	8	84
1853	38	9	1	.	.	.	6	.	.	.	.	4	4	62
1854	12	13	3	.	.	.	11	.	.	1	.	4	6	50
1855	9	14	3	.	.	.	8	.	.	1	.	5	1	41
1856	17	6	3	1	.	.	7	.	.	.	3	.	.	38
1857	17	5	1	1	.	.	4	.	2	1	10	1	2	44
1858	6	10	1	1	.	.	5	.	.	.	6	.	2	30
1859	4	6	2	2	.	.	4	.	.	1	1	2	2	24
1860	9	.	1	1	.	.	12	.	.	1	5	1	1	37
1861	10	2	7	2	.	.	16	.	2	1	1	.	1	40
1862	6	2	3	4	.	.	6	.	.	.	11	.	.	32
1863	11	8	9	1	.	.	2	.	.	2	7	2	2	44
1864	13	2	4	.	.	.	3	.	.	2	24	1	3	56
1865	13	5	.	1	.	.	.	.	4	1	1	32	.	62
1866	8	5	2	2	.	.	.	.	1	1	1	.	3	23
1867	5	2	7	1	.	.	.	.	2	2	2	.	.	21
1868	8	7	3	2	.	.	2	.	.	.	1	.	.	24
1869	2	8	2	2	.	.	.	.	.	1	1	4	5	25
1870	11	2	5	.	.	.	.	.	.	1	1	.	1	23
1871	10	2	.	.	.	.	.	.	2	2	1	.	1	19
1872	8	1	5	.	.	.	1	.	.	1	1	.	.	16
1873	3	2	3	.	.	.	8	.	1	1	2	.	.	20
1874	5	2	1	3	.	.	1	.	.	.	1	1	.	14
1875	5	2	2	2	.	.	.	.	.	.	2	.	1	14
1876	4	3	1	3	.	.	.	.	1	.	1	.	.	13
1877	2	1	1	1	.	.	1	.	1	.	3	.	.	11
1878	6	1	2	.	.	.	1	.	.	.	2	.	.	12
1879	4	2	2	.	.	.	1	.	.	.	2	.	.	12
1880	3	1	.	2	.	.	1	.	.	.	3	.	.	10
1881	.	.	.	.	.	.	.	.	.	.	.	.	.	.
1882	.	.	.	.	.	.	.	.	.	.	.	.	.	.
1883	.	.	6	.	.	.	.	.	.	.	.	.	.	6
	776	223	112	55	5	4	165	18	27	38	124	67	126	.

Total, 1740

The above Decrees have proceeded on Summonses containing on an average 4 sets of Defenders each.

The above total therefore multiplied by 4

gives the number of Heads of families warned to remove as, 6960

And taking 5 as the average number of individuals in each family, 5

Gives, 34,800

As the number of individuals of the Crofter Class in the Isle of Skye, who between the years 1840 and 1883 have had the fact of the insecurity of their tenure impressed upon them by process of Law directly affecting them, and at an expense to the 6960 Heads of families of an average at 10s. each = £3480, stg.

DUGALD MACLACHLAN

XXIII.

Alexander
Macdonald,
Esq., Treas-
lane, Skye.

2.—REPLY by ALEXANDER MACDONALD, Esq. of Treaslane, Skye.

PORTREE, November 9, 1883.

My attention has recently been drawn to the alleged statistics of summonses of removal, issued at the instance of proprietors in the island of Skye, against tenants and crofters during a considerable number of years past. While calling in question the accuracy of these reports or statistics, and drawing attention to the absence of all detailed information respecting them, I beg leave to make the following general remarks on the subject for the information of the Commission, viz., 1st, the number of summonses issued does not of course show that all the persons summoned to remove were actually removed, and it cannot safely be inferred from the fact of the summonses being issued that *even a very small proportion* of the persons warned were *actually removed* under them.

Before a person can be ejected under a summons of removal, the following steps of procedure are necessary, viz., (1) a decree of removing must be pronounced, (2) the decree of removing must be extracted, (3) there must be a charge of removing following upon the decree, (4) this is followed by an ejection or eviction.

It must therefore be manifest that if it be intended to show that all the persons said to have been summoned to remove in consequence of the summonses were *actually evicted or ejected*, the statistics given should have been not the number of summonses of removal issued, but the number of decrees of removal extracted and followed by eviction. If even the number of decrees of removal *extracted* were given, the proportion which they would have to the decrees of removal pronounced, but not extracted, would be found to be extremely small. Besides this it is the fact that many extracted decrees of removal are never followed up by eviction. It therefore follows that even the numbers of extracted decrees of removal, and far more so the number of summonses issued, would be utterly misleading and valueless as affording any index to, or evidence of, the number of ejections or evictions. The truth is that summonses of removal have, in by far the greater number of cases in Skye, been used for one or other of the following purposes:—viz., (1) For the enforcement of payment of arrears of rent. It would be found, and could be proved on investigation, that non-payment of rent accounts for *fully nine-tenths* or more of the whole summonses of removal issued. That this is the case is perfectly notorious among the crofters themselves, and they perfectly well knew that if they paid their rents they had nothing to fear from the summonses. The inference accordingly to be drawn from the large number of summonses of removal said to have been issued is, that there was a very large number of tenants who required to be summoned to remove *in order to enforce payment of arrears of rent*.

It may be explained that the reasons for raising summonses of removal in order to procure payment of arrears of rent rather than the common method of recovering by raising ordinary summonses for debt, were and are the practical difficulty of identifying the stock and effects of crofters, such being very frequently alleged, when legal diligence was used, to belong to persons other than the crofters or tenants, as, for example, to their fathers, brothers, or sisters, &c. In short, the true deduction to be drawn from the existence of a large number of summonses of removal is that it would, in justice to the proprietor,

be most unsafe and inexpedient to give anything like the desired fixity of tenure to tenants or crofters against whom it was necessary to issue so many summonses of removal for non-payment of rent.

XXIII.

Alexander
Macdonald,
Esq., Treas-
ure, Skye

(2) The next most usual cause for issuing summonses of removal (after that of non-payment of rent) was and is for the maintenance of order and justice among the tenants or crofters themselves. It frequently happened that on account of disputes between neighbouring townships about marches and various other matters of contention, it became necessary to warn the whole of the tenants or crofters of a township. Every factor who has any experience in dealing with large bodies of small tenants must be able to recall many instances of the absolute necessity of using summonses of removal in cases of the kind just mentioned in order to bring about a settlement. Besides disputes between townships of crofters, a great many summonses of removal are also to be accounted for by the necessity of using them in order to settle disputes between individual crofters or several crofters in the same or different townships, as, for example, in cases of tenants being very quarrelsome and abusive to their neighbours, or keeping a large overstock of sheep, cattle, horses, to the prejudice of their neighbours, &c. In fine, the instances in which summonses of removal had to be used for the purpose of preserving order and discipline among the crofters themselves are far too numerous to mention in detail.

As showing the small number of instances in which summonses of removing in Skye have been extracted and followed by enforced eviction or ejection, I may mention that although I have myself been acting as factor, assistant factor, and law agent on most of the Skye estates for the last twenty years or thereby, I can remember only four or five enforced evictions of crofters at the hands of the officers of the law, and these were, with, I believe, one exception only, on account of misbehaviour or misconduct on the part of the crofters, and complaints by their neighbours in consequence.

Finally, I may be allowed to point out that changes rendering summonses of removal necessary might frequently be required for the public benefit on improving estates. Such summonses or changes would *not* be required on estates where there was little going on.

I shall feel much obliged by your acknowledging receipt of this communication, which I trust you will be good enough to engross in the records of the Commission as a reply to statements on the other side made with the intention of showing that there have of late years been as many evictions in Skye as there were summonses of removal.

ALEX. MACDONALD, Factor, &c.

XXIV.

XXIV.

Donald Macdonald, Tormore, Skye.

STATEMENT by DONALD MACDONALD, Tormore, late Factor on the Estates of Macdonald, Glendale, etc., Isle of Skye.

I venture to submit the following remarks bearing on evidence already given before the Commission by myself and others, and also on the object of the Commission generally, in the belief that the Commissioners may not be indisposed to afford me now the opportunity (which I had not at the time) of answering statements affecting me made by others, and supplementing and explaining statements made by myself.

The evidence is referred to as reported in the *Inverness Courier* of 19th May as regards the diet at Isle Oronsay, and in the *Scotsman* of 16th and 25th May as regards those at Dunvegan and Portree respectively.

I.—CARRADALE CLEARANCE.

Evidence at Isle Oronsay, 17th May 1883. Q. 5016-5020.

“Alexander M’Ghillivray, representing the tenants of Aird, stated that Carradale, now in the occupancy of Tormore, was taken from the people.”

Carradale is a miserable pendicle of land (*formerly a part of the farm of Aird*), and my having to add it to my own possession, was in a manner forced on me, as I was unable to induce the tenants of Aird to consent to its being reunited to their farm. Some time before this took place, two of the crofters, at their own urgent request, got larger and better crofts which became vacant elsewhere. A fourth was not a resident crofter, but was merely keeping the lot on, temporarily, at my request. Three of the remaining four were constantly complaining of the want of a road (the nearest being four miles from them), and want of a school, and they were urgently desirous of being transferred to some more suitable location. To get supplies they had to go by boat at least ten miles round one of the most dangerous headlands in Skye. The last and only tenant who would have remained, was a man whose family had all left him except one daughter, married to a man from Lewis, who, with his wife and family, had, contrary to the estate rules, settled on the croft.

II.—INGOING TENANTS PAYING THE ARREARS OF OUTGOING TENANTS.

Same Sitting. Q. 5159 *et seq.*

Donald Beaton, Ferrindonald, stated “that on entering his croft at Carradale, it was made a condition that he should pay £16 of his predecessor’s arrears; he had paid £14 and had £2 yet to pay.”

This is quite incorrect, as will appear from annexed excerpt from rent ledger (Appendix No. 1). The balance of £4, 14s. 8d. standing against the outgoing tenant Widow M’Leod, was fully covered by outgoing valuations into which Beaton, the incoming tenant, was assigned, and of which he got the benefit,—the £14 which he says he paid as arrears, being really the rents for seven years of his own possession at £2 per annum. I also annex copy letter dated 18th May 1883, addressed by Widow M’Leod to the

Scotsman, and of my letter to her in 1875, therein referred to, showing that she left no arrear (Appendix No. 2). Again, at Dunvegan (15th May 1883), John M'Sween, crofter, Skinidin, says that arrears of rent due by his deceased brother at Ramasaig were laid upon him. I send herewith copy account from rent ledger (Appendix No. 3), which disproves this,—and the receipts in the possession of the parties tally therewith. This account shows that in 1872 the arrears, amounting to £30, were struck off as irrecoverable. This man also stated that I had said to him that he would get a new lot at Skinidin if he gave up his sheep stock to me, and that I got his sheep. This is untrue. M'Sween's share of the sheep stock at Ramasaig, valued at about £20, were certainly delivered over to the proprietor on M'Sween's removal to Skinidin; but *M'Sween was paid the full value of them.* Generally, I may observe that on the Macdonald estates (and I believe on most other estates), the rule is that where the outgoing tenant leaves arrears, the same are payable out of the valuations due to him by the incoming tenant. If there be any hardship in this, it is certainly not the latter who has cause of complaint. If he required it, he got plenty of time to pay, and I know of only one single case during my tenure of office in which an incoming tenant paid as arrears more than he got value for, and in that case it was a mere trifle voluntarily paid.

XXIV.

Donald Macdonald, Tor more, Skye. Evidence, Q. 4031 et seq.

III.—ALLEGED EVICTION OF DONALD M'INNES.

Donald M'Innes, crofter, Duisdale, said “he had been removed twice,— first from Boreraig to Drumfearn, and then from Drumfearn to Duisdale. Evidence, Q. 5402 5413.

I have made careful inquiry about this, and I am credibly informed that this man *never had land either at Boreraig or Drumfearn.* It is within my own personal knowledge that for the past thirty years (during which period he was employed as a herd by the Duisdale crofters), he had no land anywhere, until I recently gave him a croft taken off the farm of Knock, which certainly has not been under small tenants since this man was born,—seventy-five years ago. Having been always on very good terms with this old man,—indeed having assisted him in stocking his recently acquired croft,—I had some friendly conversation with him about the seemingly extraordinary evidence which he had given, when he stated that he did not know exactly what he was saying,—that “words had been put into his mouth,”—and that he was now sorry for what he had said. The mode in which evidence of this kind has been concocted and presented to the Commissioners, must now have become so patent to them, that I need make no further reference to it,—but I may here take the opportunity of saying once for all, that had the evidence been taken *upon oath*, few, if any, of such stories (at least so far as regards Skye) would have been told to the Commission,—and further, I may state my conviction that the so-called delegates, in giving the evidence which they did against my management of the estates under my charge, and against myself personally, were simply the mouthpieces of Messrs. Murdoch, M'Hugh, and others, who went before to prepare the way. The Commissioners have already had some evidence of the contrary feeling which generally prevails among the tenantry with whom I was connected; and ample confirmation of this could be furnished if necessary.

Reference being made above to the farm of Knock, I may here mention, as evidencing the desire of the proprietor to accommodate small tenants, that a large portion of good land was cut off this farm on its falling out of lease, and divided amongst crofters at a considerably less rent than had

XXIV.

Donald Macdonald, Tor-more, Skye.

been paid for it by the large farmer; and at my own personal risk, I became security for an advance of money to four tenants who built substantial slated houses on this new township. A portion of the very best land on this farm was also, at the urgent solicitation of the Rev. Mr. Graham, taken off and allotted to him on my recommendation, at a rent considerably under what could have been got from another tenant,—and this makes the strong *animus* which Mr. Graham displayed against me when giving his evidence all the more unaccountable.

IV.—MY ALLEGED CONNECTION WITH THE FIRM OF NEIL KENNEDY & CO., ISLE ORNSAY.

Evidence at Isle Ornsay, 17th May 1883, and at Portree, 24th May 1883.

I should imagine that the Commissioners are now satisfied on the assurances of Mr. Kennedy and myself alone, that I am not, and never was, interested in the business carried on by Mr. Kennedy. I certainly was partly the cause of bringing Mr. Kennedy to Isle Ornsay, as he was in my opinion a suitable person to carry on such a business, and was prepared to give a better rent than the former tenant, who was vexatiously delaying to come to a point about a new lease, and was evidently desirous of dictating his own terms. As already explained, I certainly did assist Mr. Kennedy to take over the business, and I did so solely because I considered it for the interest of my constituent and the crofters of that district of Skye, that Mr. Kennedy should become tenant.

Two items of evidence have been brought against me in this matter:—

(1) It was stated that I had caused notices to be posted up at Ardvassar, Isle Ornsay, and other places on the Macdonald property, to the effect either that any tenant who should deal at any shop except that at Isle Ornsay would be mulcted in an additional rent of £2 by way of penalty, or that any tenant opening another shop on the Macdonald estate would be mulcted in a similar penalty. I stated at Isle Ornsay, and I still affirm, that if any notices in these or similar terms appeared at the places mentioned, they must have been forgeries. But having now had time to investigate the matter, I find that through an awkward mistake on the part of some subordinate officials on the Macdonald estate, copies of a notice (to which I referred in my evidence) relating exclusively to the Glendale property, on the other side of the island, had actually been posted up in the parishes of Sleat and Strath, or either of them, but were visible for a very short time, having been torn down as soon as the mistake was discovered. I have explained in my evidence at Isle Ornsay the nature of the Glendale notice, and the circumstances in which, in the opinion of the proprietor of that estate, it became necessary to issue it. Some copies of this notice had unfortunately got into the hands of the Macdonald estate ground officers, who no doubt supposed it to be their duty to post them up. It is very clear, however, that no person who read this notice with any attention (except perhaps the Rev. Finlay Graham) could possibly have imagined that it had any reference to the Macdonald estates, or to a shop monopoly either at Isle Ornsay or anywhere else.

(2) At the Portree diet a receipt was produced in the following terms:—“18th August 1875.—Received to account of Donald Beaton, Carradale, £2, 16s. to old account, also £7 to the new account.—(Signed) Neil Kennedy & Co.,” and this was produced with a view to show that old accounts due to me (for meal which I had supplied to the tenants at a much lower price

than what was charged them by the former tenant of the Isle Ornsay shop), had been transferred to Neil Kennedy & Co. Knowing that such was not the case, I could at the time only account for the terms of this receipt by the conjecture that, as a matter of convenience, Kennedy had on my behalf accepted the payment offered of an old account due to me, and (perhaps to save a stamp) had put the two sums into one receipt. But it has since turned out that the "old account" in question was really due to Kennedy himself, and he has explained this in a letter giving a copy of Beaton's account from his ledger which appeared in the *Scotsman* newspaper. It should be observed that this Donald Beaton is the man who stated ("erroneously" as I have already shown) that he had been made to pay arrears of rent due by a former tenant.

XXIV.
Donald Macdonald, Tor-moore, Skye.

V.—ALLEGED INCREASE OF RENT BETWEEN TERMS.

There was produced at Portree a notice from the Macdonald estate office to a tenant, dated in October 1872, intimating an increase of rent, to take effect from the preceding Whitsunday term. As already explained in my evidence, a general rise of about 5 per cent. was agreed to by the crofters on the basis of a re-valuation made by Skye valuers, in place of taking the probably higher valuation that might be made by the professional land valuator from Morayshire, who was employed by the late Lord Macdonald's Edinburgh agents to re-value all the holdings on the estate. *This increase was further intimated verbally to every tenant at the Martinmas rent collection in 1871.* I had to be away from home for a considerable time in the early part of 1872, and, before leaving, I instructed my clerk to give, at a sufficient interval before 1872, a written notice (*in addition to the verbal notice given at the preceding Martinmas*) to certain of the crofters who, in my opinion, required a special reminder. I cannot now say when these notices were actually given to the parties, or how some of them came to be dated as they were. The date must be just one of those unintentional mistakes which sometimes will happen. Looking to the fact of the verbal notice previously given, no one could have suffered any prejudice by the mistake. There was no intention that any proceedings consequent on the terms of such notice should in any case be taken, and in point of fact no proceedings were taken.

Evidence at Portree, 24th May 1883.

The case of a notice given in June 1876 to R. Murchison, merchant, Gedentailor, of an increase of rent as from Whitsunday in that year (referred to at the diet at Portree, 24th May 1883), is quite a different matter. This man was teacher of a side school who opened a shop and, in connection with his dealings, made himself most obnoxious to the neighbouring crofters. The notice in question was given in *their* interest, and in point of fact the notice was never acted on. While on this subject, I may take the opportunity of stating, from my pretty extensive knowledge of the West Highlands and Islands, that Lord Macdonald's crofters are, taking everything into consideration, by far the easiest rented of any of their class, and that crofters' rents generally, on most if not all the estates in that district, are in almost every case at least 25 per cent. lower than those of the larger farmers on those estates, and in many cases the difference is much greater.

Evidence, Q. 9573 et seq.

XXIV.

Donald Macdonald, Tor-
more, Skye.
Portree, 21th
May.

Evidence,
Q. 9498.

VI.—ALLEGATION BY NEIL SHAW, LOWERGILL, THAT HE GOT NO COMPENSA-
TION FOR HIS HOUSES AT WAY-GOING.

I offered at the diet at Portree to produce a statement of account relating to this matter but the Commissioners declined to receive it "as it might lead into endless discussion." I now give this account (Appendix No. 4), which shows not only that Shaw's claims were fully settled, but that I allowed him £1, 13s. 7d. out of my own pocket. It will be observed from the account that I was in advance £50 for him, for 6 months, for which no interest is charged; and I may mention, besides, that he was allowed to remain at Lowergill until he found it convenient to remove, and his cattle were there for a very considerable time after the Whitsunday term of removal. I happened to meet Shaw in Portree some days after the evidence was taken, when he said that he had no cause whatever of complaint against me, that if he had said anything of the kind it was wrong, and that he was so well off in the new possession he had got at Eyre on the Macdonald estate, that he would not return to Glendale even if he was offered to get back Lowergill free of rent.

VII.—ALLEGED CLEARANCES ON THE GLENDALE ESTATE.

Evidence,
Page 362 et seq.

A great deal has been said about the clearing of the two townships of Lowergill and Ramasaig on the Glendale estate, and, with regard to these, the carrying out of arrangements for the benefit of the tenants themselves, has been distorted so as to look like acts of oppression by the proprietor and his agents.

There were six tenants on Lowergill, three of whom wished to leave and get more suitable holdings elsewhere. Two of the remaining three would have remained, but it was considered best for the interests both of the proprietor and themselves that they should remove, and they were accordingly also *provided for advantageously elsewhere*. As regards Ramasaig, every effort was made to continue the place in possession of small tenants. I refer to copy letter to me from the late Sir John Macleod, the proprietor, dated 15th May 1879 (Appendix No. 5). On many occasions I pressed the remaining tenants to increase their holdings (including grazings) by taking lots becoming vacant through other tenants removing of their own free will. There was no desire or intention to depopulate this place and add it to adjacent sheep farms in the proprietor's hands, until it became quite evident that owing to the impossibility of getting the vacant lots taken up, such a course was unavoidable. No tenants on any other part of the property were ever removed to make room for any of these tenants: it was only when vacancies occurred elsewhere that this arrangement was carried out; and, generally, I have to state that in no case during my management of the estate was any tenant removed to make room for another, nor, except in the single case of John Mackay, Hamenerar, was a tenant deprived of any portion of his land. The reduction of the extent of the croft in this case was justified by reasons of a most satisfactory nature.

I may add that the proprietor was kept particularly informed of the full details of my management of the Glendale estate, and this remark also applies to my management of the Macdonald and Lochcarron estates.

Referring further to the alleged evictions on the Glendale estate, I was very much surprised by a statement made by John M'Pherson, one of the

Glendale delegates, at a meeting of Highlanders held at Fraserburgh, towards the close of this year's herring fishing there. It will be recollected that this man was one of the most prominent of the so-called delegates. At this meeting at Fraserburgh—according to the *Inverness Courier*—M'Pherson said he "had seen homes burned down and their occupants burned out. In one case where an old sick woman was being carried out before her house was set on fire, the factor had the inhumanity to say, 'Let her alone, she has lived long enough already, let her burn.'"

XXIV.
Donald Macdonald, Tor-moore, Skye.

In consequence of this I wrote M'Pherson a letter, of which and of his reply I send a copy herewith (Appendix No. 6). In his reply he admits that he never saw anything of the kind either at Glendale or anywhere else, but merely read in publications by certain notorious agitators statements that such things had happened in Sutherlandshire years before he was born. I refer to this as showing the birth-place and process of development of many similar and utterly groundless stories which simple-minded but imaginative men have been induced by fomenters of discontent to retail as their own personal experiences.

Perhaps I may be allowed to state my opinion that the condition of the Skye crofters generally has vastly improved within late years. The prices of cattle, sheep, fish, etc., have more than trebled within my own recollection, as has also the price of labour. I pay as much to my farm and other servants in Skye as I do to those on my farm in Nairnshire, and the cost of labouring an acre in Skye is much more than it is in Nairnshire. Nevertheless, this improvement might have been still greater were it not for various causes, among which I shall here mention only two—(1.) *Sub-division of crofts*, which, notwithstanding every measure adopted for its prevention, has prevailed to such an extent that the population is now more than double that which can be supported with any degree of comfort upon the land suitable for the purpose; and (2.) *The system of raising money on bills at exorbitant rates of interest*—the discounters of these bills reaping a double profit at the expense of the unfortunate crofters—first in the shape of usurious discounts, and then by forcing them when the bills fall due, to sell their cattle at unsuitable times to the bill-holders themselves at a ruinous sacrifice. During my term of office, I did everything in my power to discourage this system, and I may safely say that had I gone into it myself, I could have covered personal losses of my own to the extent of at least £2000. I may explain that this system does not prevail to any extent on the southern part of the Macdonald estates.

I am further bound to say, that long practical experience has forced me to the conclusion, that the conditions of soil and climate in Skye are most unfavourable to any more extended system of arable farming on the island. Such an attempt particularly by small tenants, even were they possessed of the requisite capital to do justice to the land, would, in my opinion, simply result in aggravating, in the course of a few years, the distress and discontent at present existing. An increased development of the fishing industry might do much to improve matters; but, on the whole, much as I would deplore the expatriation of any large body of my fellow-isklesmen, I cannot refrain from stating my conscientious conviction that emigration on a pretty extensive scale, and with suitable assistance, is the only really effectual measure for improving the condition of these poor people. I regret very much the unreasoning opposition which has been manifested to

XXIV.

Donald Mac-
donald, Tor-
more, Skye.

this proposal, an opposition which there cannot be a shadow of doubt has been originated and is kept alive by gentlemen who should know better. I allude to certain Free Church ministers in the island, who seem in this matter to act from much the same motives as actuate the parish priests of Ireland in opposing emigration.

D. MACDONALD.

21st Nov. 1883.

APPENDIX.

XXIV.

I.—COPY FROM ESTATE LEDGER OF THE RENT ACCOUNT OF WIDOW M'LEOD
and DONALD BEATON FOR NO. 4 CARRADALE.

Donald Mac-
donald, Tor-
more, Skye.

WIDOW M'LEOD, 4 Carradale.

1871.				
Nov. 25.	To Arrear, as per state received from the exrs. of the late Mr. Mackinnon,	£3	1	6
	„ Half-year's rent due this day,	0	16	7
1872.				
May 26.	„ Do. do. do.	0	16	7
	By Arrear,			£4 14 8
		£4 14 8	£4 14 8	

DONALD BEATON.

	To Arrear,	£4	14	8	
Nov. 25.	„ Half-year's rent,	1	0	0	
1873.					
Mar. 24.	By Cash,			£4	10 0
May 20.	„ Half-year's rent,	1	0	0	
	By Arrear,			2	4 8
		£6 14 8	£6 14 8		
	To Arrear,	£2	4	8	
Nov. 25.	„ Half-year's rent,	1	0	0	
Dec. 1.	By Cash,			£2	0 0
1874.					
May 26.	„ Half-year's rent,	1	0	0	
	By Arrear,			2	4 8
		£4 4 8	£4 4 8		
	To Arrear,	£2	4	8	
Nov. 25.	„ Half-year's rent,	1	0	0	
30.	By Cash,			£2	0 0
Dec. 25.	„ 1 month's rent,	0	3	4	
	By Arrear,			1	8 0
		£3 8 0	£3 8 0		

XXIV.
Donald Mac-
donald, Tor-
more, Skye.

1874.	To Arrear,	£1 8 0	
April 10.	By Cash,		£1 4 8
1875.			
May 26.	„ 5 months' rent,	0 16 8	
	By Arrear,		1 0 0
		<hr/>	<hr/>
		£2 4 8	£2 4 8
		<hr/>	<hr/>
	To Arrear,	£1 0 0	
Nov. 25.	„ Half-year's rent,	1 0 0	
Dec. 20.	By Cash,		£2 0 0
1876.			
May 26.	„ Half-year's rent,	1 0 0	
	By Arrear,		1 0 0
		<hr/>	<hr/>
		£3 0 0	£3 0 0
		<hr/>	<hr/>
	To Arrear,	£1 0 0	
Nov. 25.	„ Half-year's rent,	1 0 0	
Dec. 20.	By Cash,		£2 0 0
1877.			
May 26.	„ Half-year's rent,	1 0 0	
	By Arrear,		1 0 0
		<hr/>	<hr/>
		£3 0 0	£3 0 0
		<hr/>	<hr/>
	To Arrear,	£1 0 0	
Nov. 25.	„ Half-year's rent,	1 0 0	
Dec. 12.	By Cash,		£2 0 0
1878.			
May 26.	„ Half-year's rent,	1 1 0	
	By Arrear,		1 0 0
		<hr/>	<hr/>
		£3 0 0	£3 0 0
		<hr/>	<hr/>
	To Arrear,	£1 0 0	
Nov. 25.	„ Half-year's rent,	1 0 0	
Dec. 21.	By Cash,		£2 0 0
1879.			
May 26.	„ Half-year's rent,	1 0 0	
	By Arrear,		1 0 0
		<hr/>	<hr/>
		£3 0 0	£3 0 0
		<hr/>	<hr/>
	To Arrear,	£1 0 0	

II.—COPY of WIDOW M'LEOD'S LETTER to Scotsman of 18th May 1883,
and of FACTOR'S LETTER therein referred to.

The Carradale Arrears Case.

27 GARDNER'S CRESCENT, EDINBURGH,
18th May 1883.

SIR,—In his evidence before the Royal Commission at Isle Ornsay, Donald Beaton states that he had to pay £16 of arrears of rent due by the

former tenant. As I preceded him, I may mention that there is not a word of truth in that statement, as the enclosed letter from the factor will prove. I not only paid my rent in full, but also got a sum of money from the factor which I had expended in building a march-dyke, etc.

XXIV.

Donald Macdonald, Tormore, Skye.

Tormore took over my effects when I left Carradale, for which he allowed me full value.—I am, etc.,

(Signed) MARGARET M'LEOD.

(Copy of Factor's Letter.)

TORMORE, BY BROADFORD, SKYE,
11th September 1875.

To Mrs. M'Leod (late of Carradale), Edinburgh.

DEAR MADAM,—I have looked over the rental of the Macdonald estates, and find that you were clear of arrears of rent when you left Carradale; and if you should at any time wish to get back possession of the lot you had there, I will arrange to let you have it.—Yours, etc.,

(Signed) D. MACDONALD.

III.—COPY FROM ESTATE LEDGER OF THE RENT ACCOUNT OF J. & J. M'SWEEN
FOR NO. 7 RAMASAIG.

Copy from Ledger Account of Lot No. 7 Ramasaig.—1860.

Ledger kept by Mr. Harry Macdonald from 1860 to 1863.

JOHN M'SWEEN, sen., and JOHN M'SWEEN, jun., 7 Ramasaig.

1860.	To Arrears from Rental No. 2, . . .	£20 7 10½	
Nov. 25.	„ Half-year's rent,	5 5 0	
	„ Poor rates to Mart.,	0 4 4½	
	„ Public burdens, 1/9; peat money, 2/6,	0 4 3	
Dec. 11.	By Cash from John M'Sween, senior,		
	to account of arrears,		£6 0 0
	„ Do., from John M'Sween, junior,		
	to account of arrears,		5 0 0
1861.			
May 26.	To Half-year's rent,	5 5 0	
	„ Poor rates to Whitsunday,	0 5 3	
	By Balance,		20 11 9
		£31 11 9	£31 11 9

1861.

XXIV.
Donald Mac-
donald, Tor-
more, Skye.

	To Balance,	£20 11 9	
Nov. 25.	„ Half-year's rent,	5 5 0	
	„ Poor rates to Mart.,	0 4 4½	
	„ Public burdens, 1/9; peat money, 2/6,	0 4 3	
Dec. 5.	By Cash to account of arrears,		£7 0 0
	„ Do. to account of do.		4 0 0

1862.

May 26.	To Half-year's rent,	5 5 0	
	„ Poor rates,	0 5 3	
	By Balance,		20 15 7½
		£31 15 7½	£31 15 7½

	To Balance,	£20 15 7½	
Nov. 25.	„ Half-year's rent,	5 5 0	
	„ Poor rates,	0 5 3	
	„ Public burdens, 1/9; peat money, 2/6,	0 4 3	
Dec. 10.	By Cash, p. John M'Sween, jun., to account of arrears,		£4 0 0

1863.

May 26.	To Half-year's rent,	5 5 0	
	„ Poor rates,	0 7 10½	
June 9.	By Cash, from John M'Sween, junior, to account of arrears of rent,		1 13 0
	„ Do. p. John M'Sween, senior, to account of do.		2 13 0
	„ Balance,		23 17 0
		£32 3 0	£32 3 0

	To Balance,	£23 17 0	
Aug. 19.	By Cash, to account of arrears of rent, from John M'Sween, senior, to account of arrears,		£2 0 0
Sept. 22.	„ Do. to account of arrears of rent, from John M'Sween, junior,		4 0 0
Nov. 25.	To Half-year's rent,	5 5 0	
	„ Poor rates,	0 4 4½	
	„ Public burdens, 1/9; peat money, 2/6,	0 4 3	
	By Balance,		23 10 7½
		£29 10 7½	£29 10 7½

To Balance, £23 10 7½

Copy from Mr. D. Macdonald's Ledger.

XXIV.

Donald Macdonald, Tor-
more, Skye.

1864.

Mar. 11.	To Balance, as per rental furnished by Mr. H. Macdonald,	£23 10 7½	
May 26.	„ Half-year's rent,	2 12 6	
	„ Poor rates,	0 2 7½	
June 9.	By Cash,		£1 0 0
	„ Balance,		25 5 9
		<hr/>	
		£26 5 9	£26 5 9

June 9.	To Balance,	£25 5 9	
Nov. 25.	„ Half-year's rent,	2 12 6	
	„ Poor rates,	0 2 2½	
Dec. 15.	By Cash,		£2 0 0

1865.

May 26.	To Half-year's rent,	2 12 6	
	„ Poor rates,	0 2 7½	
	By Balance,		28 15 7
		<hr/>	
		£30 15 7	£30 15 7

	To Balance,	£28 15 7	
	„ Peat money, etc., not charged 1864-65,	0 3 4	
Nov. 25.	„ Half-year's rent,	2 14 3	
	„ Poor rates,	0 2 3½	
Dec. 1.	By Cash,		£4 0 0

1866.

May 26.	To Half-year's rent,	2 14 3	
	„ Poor rates,	0 2 8½	
	By Balance,		30 12 5
		<hr/>	
		£34 12 5	£34 12 5

	To Balance,	£30 12 5	
Nov. 25.	„ Half-year's rent,	2 14 3	
	„ Poor rates,	0 2 3½	

1867.

May 26.	„ Half-year's rent,	2 14 3	
	„ Poor rates,	0 2 3½	
June 5.	By Cash,		£7 0 0
	„ Balance,		29 5 6
		<hr/>	
		£36 5 6	£36 5 6

	To Balance,	£29 5 6	
Nov. 25.	„ Half-year's rent,	2 14 3	
	„ Poor rates,	0 2 3½	
Dec. 15.	By Cash,		£3 10 0

Carry forward, £32 2 0½ £3 10 0

XXIV.	1868.	Brought forward,	£32 2 0½	£3 10 0
Donald Macdonald, Tor-more, Skye.	May 26.	To Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 3½	
		By Balance,		31 8 7
			<hr/>	<hr/>
			£34 18 7	£34 18 7
	May 26.	To Balance,	£31 8 7	
	Nov. 25.	„ Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 9	
	1869.			
	May 26.	„ Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 8	
		By Balance,		£37 2 6
			<hr/>	<hr/>
			£37 2 6	£37 2 6
		To Balance,	£37 2 6	
	June 3.	By Cash,		£3 0 0
	Nov. 25.	To Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 8	
	1870.			
	Mar. 16.	By Cash,		3 0 0
	May 26.	To Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 8	
		By Balance,		36 16 4
			<hr/>	<hr/>
			£42 16 4	£42 16 4
		To Balance,	£36 16 4	
	Nov. 25.	„ Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 9	
	30.	By Cash,		£4 0 0
	1871.			
	Mar. 11.	„ Do.		1 0 0
	May 26.	To Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 9	
		By Balance,		37 10 4
			<hr/>	<hr/>
			£42 10 4	£42 10 4
		To Arrears,	£37 10 4	
	Nov. 25.	„ Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 9	
	1872.			
	Mar. 19.	By Cash,		£5 0 0
	May 26.	To Half-year's rent,	2 14 3	
		„ Poor rates,	0 2 9	
	June 14.	By Cash,		2 0 0
		„ Balance,		36 4 4
			<hr/>	<hr/>
			£43 4 4	£43 4 4

1872.

June 14.	To Balance,	£36 4 4		XXIV.
Dec. 17.	By Cash for work per self,		£0 6 0	
	„ Cash, p. A. Maclean Miller,		5 0 0	Donald Mac-
	„ Value of house at Ramasaig,		1 17 0	donald, Tor-
	„ Arrears struck off as irrecoverable,		29 1 4	more, Skye.
		<u>£36 4 4</u>	<u>£36 4 4</u>	

IV.—COPY of SETTLED ACCOUNT with NEIL SHAW, Lowergill.

1877.

May.	To Rent due at this date,	£6 4 7	
	By Cattle bought from Shaw,		£13 0 6
	By Work on house,		1 10 0
June.	To Paid John Morrison, Eyre, on your account and by your order,	50 0 0	
Nov.	By Value of sheep stock,		34 5 8
	„ „ houses, per valuation,		4 18 0
	„ „ corn crops,		32 15 0
	„ „ potato do.		8 10 0
	To Paid Charles Mackinnon, Lower Mili- vaig, his fee for valuing for you, per order,	0 7 0	
Dec.	To Paid John Morrison further by your order,	40 0 0	
	By Balance,		1 13 7
		<u>£96 11 7</u>	<u>£96 11 7</u>

To Balance due me, and which allowed
out of my own personal purse, to help
Shaw in fitting,

£1 13 7

V.—COPY LETTER to FACTOR, from SIR JOHN MACLEOD regarding Ramasaig,
15th May 1879.

1 STANHOPE ST., 15th May 1879.

MY DEAR TORMORE,—I received your letter of the 10th May yesterday. As you are of opinion that the vacant holdings in Ramasaig afford openings for some of the people on other parts of the property, and that the change to these would be gladly accepted, and be advantageous both to them and the proprietor, without hurting anybody, I authorize you to carry this measure into effect.—Yours, etc.

(Signed) J. M. MACLEOD.

XXIV.

Donald Macdonald, Tormore, Skye.

VI.—COPY OF FACTOR'S LETTER to JOHN M'PHERSON, Milivaig, Glendale, and of M'PHERSON'S reply.

Mr. John M'Pherson, Lower Milivaig, Glendale, Tormore, by Broadford, Isle of Skye.

1st October 1883.

DEAR SIR,—My attention has been directed to the report of a speech recently delivered by you at Fraserburgh and published in the *Inverness Courier*. The following is an extract from that speech as reported, viz. : “He expressed his pleasure in being present and being permitted to speak about Highland grievances, for he had seen houses burned down and their occupants turned out. In one case he went on to say where an old sick woman was being carried out before her house was set on fire, the factor had the inhumanity to say, ‘Let her alone, she has lived long enough already, let her burn.’”

As you have all your life lived on the estate of Glendale, and as I acted as factor thereon for many years, I have to ask you, in the event of your admitting the correctness of the report—

I. Whether it was of Glendale and of me you spoke ; and

II. If so, when and at what township the occurrence referred to by you took place.—Yours faithfully,

(Signed) D. MACDONALD.

(COPY REPLY.)

MILIVAIG, 9th October 1883.

Mr. Macdonald.

DEAR SIR,—I have received your letter last Saturday night, asking a few questions which I shall answer willingly before going any further about thinking or speaking about yourself in Fraserburgh. I will challenge any man that I have never said worse than your name about you in Fraserburgh or elsewhere, unless I said a little to yourself, and I could not have said it unless I would tell a lie, about the houses being burned and the woman inside. I had read it in Donald Macleod's book named the *Highland Clearances*, who was an eye-witness on the savage work in Sutherlandshire, and Peter Sellar was the factor, who is in eternity long ago, and I see it daily now in Mackenzie's *Highland Clearances*, and indeed any person that shall read the history of the Highlands since eighty years back, must confess that it was not much behind Africa and Asia. No more to say.—Believe me to be your wellwisher.

(Signed) JOHN M'PHERSON.

XXV.

STATEMENT by the Rev. ARCHIBALD MACDONALD, A. & S. Minister
of Barra.

(See Evidence, p. 643 et seq.)

XXV.

Rev. Archibald
Macdonald,
Barra.

MANSE OF BARRA, 13th August 1883.

WERE the population, especially the crofters, cottars, and labouring class, more economical and industrious, no improvident marriages, no subdivision of crofts, the community would be more prosperous and comfortable. Large farms, combined with the potato failure, have contributed to a congestion of the population.

Crofters require more land for produce, stock, and employment than they have, and should have 'bent,' with which the estate abounds, for thatching their houses at a moderate charge—provender being insufficient for stock—although notwithstanding they use it for thatch.

The educational means and opportunities are sufficient for obtaining a liberal education.

The proprietrix, Lady Gordon Cathcart, shows a conspicuous and thorough interest in the population, in giving the poor necessary comforts—in apportioning large tracts of arable and pasture land to the crofters and cottars—in assisting people to emigrate, and in helping fishermen pecuniarily to prosecute their avocation, and has also enhanced the value of the estate by building a hotel and cottages, erecting a pier, and laying down plantations.

Were the fishermen located around the bays on the mainland of the parish near to churches and schools, &c., provided with suitable boats, and each equipped with fishing materials, there would be more individual wealth and prosperity on the estate; however, much depends on the intelligence and industry of the people themselves for future prosperity.

ARCHD. MACDONALD.

XXVI.

XXVI.

STATEMENT by Rev. JAMES CHISHOLM, C.C., Craigston, Barra, by
Lochmaddy.Rev. James
Chisholm,
Barra.*(See Evidence, p. 643 et seq.)*CRAIGSTON, BARRA, *October 1883.*

THE circular addressed to me by the Secretary of the Crofters' Commission invites me to express my views about the present state of the crofters residing upon this island.

As the grievances of the people have been set forth in their true light before the Royal Commissioners at Castle Bay, I will not enter into particular cases.

Without giving way to any partial spirit, I must say that the entire bulk of the population of this island, with a very few exceptions, are compelled to drag out a very poor existence.

The cause of the prevailing poverty is easily arrived at : it is the want of land. The island is particularly hilly and rocky, yet there is enough of good land if it were divided amongst the people. But this does not seem, even to a superficial observer, to be the case. When we consider that the island is thickly populated, and when we advert to the fact that the best half of island is held by large farmers, we must admit that the cry for more land is very reasonable.

At present the crofters are settled on very poor patches of land, which, from frequent cultivation, have a struggle to yield a few potatoes, or a thin crop of barley, and by no means do they return sufficient crops to compensate the labour expended upon them. As long then as the crofts are so small, and the townships so crowded, it will be impossible for the people to emerge out of their present poverty. On this island no fisherman can live from the produce of the sea alone, owing to the tempestuous nature of the coast, and the want of a ready transit to the markets. Those, then, who follow the profession of fishermen should have as much land as would keep two cows, and those who live by the land should have their present holdings greatly enlarged, and rented according to the value of the soil.

In order to remedy the sad state of matters, I would suggest that the large farms should be broken up and converted into smaller farms, with rents fixed by disinterested parties, and given to those who are willing and able to pay just rents.

I would also suggest that the crofters should get leases, for those who are tenants-at-will, and are subject to be turned out at any period, have, generally speaking, very little interest in the soil,—that is to say, they would not enter into any expensive improvements, not knowing who might possibly reap the benefit of their labour. Compensation should also be given for improvements.

The people in their modes of living and dress are very frugal, and morally good.

We sincerely hope that some scheme will be devised to better our present condition, but such a one as would have for its object the removal of the people to some foreign country would be entirely opposed to the wishes of the people, and instead of being considered a benefit, would be looked upon as dangerous to their interests.

JAMES CHISHOLM.

XXVII.

STATEMENT by the Right Rev. ANGUS MACDONALD, D.D., Roman Catholic Bishop of Argyll and the Isles, as to certain Grievances of the Catholics in South Uist and Barra.

XXVII.

Right Rev. A.
Macdonald,
D.D.

(See Evidence, pp. 643 and 698 et seq.)

OBAN, 19th May 1883.

The appointment of a Royal Commission to examine into the condition of the crofters in the West Highlands, affords a favourable opportunity of bringing under notice, and, I trust, obtaining redress for, certain grievances under which one portion of them have been for many years back suffering. The matters to which I refer have been the subject of much negotiation and correspondence, which, to my regret, have led to little benefit. I have been deterred from bringing them under public notice, partly from extreme reluctance to introduce the name of the proprietrix, who I believe has never really understood the true nature of the case; and also in great part from a fear, which I believe to be well grounded, that those whom I meant to benefit might be made to suffer in other ways from any exposure I might make of their wrongs.

I refer to the way in which the Catholics (*i.e.*, the great bulk of the population) of South Uist and Barra have been dealt with in educational matters, in being refused Catholic teachers in schools attended almost exclusively by Catholic children. It is not my wish, and it is not necessary to discuss the question of the propriety of combining or dissociating secular and religious instruction. As the law has been laid down by the Education Act of 1872, the decision of that, in each specific case, rests with the ratepayers, through the members they may appoint to represent their wishes. What I wish to explain is that the wishes of the ratepayers have been systematically ignored, and all educational questions settled for them by the factor, and a very small non-Catholic minority. Besides this specific grievance, I believe that a statement of this case will tend to show the existence of a widespread evil, in the dependant and degrading position in which such tenants are apt to be placed—with no security of tenure, no guarantee against removal at will, and with the fear constantly hanging over them, that if they venture to assert their rights they may be made to suffer for it, without having power to obtain redress. Nothing could be conceived more certain than this position to foster a low and cringing disposition, or more opposed to the formation of a manly, independent, enterprising spirit. For more reasons, therefore, than one, this seems a most suitable subject for investigation; and I feel that I am called upon, by the very responsible position which I hold, to state all that I know personally, or through others, regarding this particular grievance.

I do not wish to enter any complaints against the estate-administration properly so called. The abuses to which I desire to call attention lie strictly outside that sphere, and it is only by going outside its proper department that the estate-administration has interfered in this matter at all.

My present official connection with this part of the West Highlands began in May, 1878. I was much surprised to find, amongst other things, that the whole management of educational matters was practically in the hands of a very small non-Catholic minority, who in no way represented the feelings or wishes of the immense majority of the people. The method in which School

XXVII.

Right Rev. A.
Macdonald,
D. D.

Board members were appointed seemed to be that this minority held a meeting, and settled the whole matter for themselves. They were in the habit of leaving one or two seats to the Catholic clergy, taking care, however, to reserve to themselves the great majority of the seats, so that, with a certain show of liberality, they retained the whole administrative power in their own hands. Further, they seemed never to have thought it worth while to consider the wishes of the people in the selection of teachers—such a thing as a Catholic teacher in these almost entirely Catholic islands being at that time utterly unknown. On the other hand, the people earnestly desired to have teachers who would be qualified to give their children sound religious as well as secular instruction; but they were helpless to obtain this. They had the law on their side, but it was practically a dead letter. They dared not enforce it. In other Catholic districts on the mainland, Catholics had their feelings invariably respected by boards composed mainly of non-Catholic members. Here, where they could have by their votes secured a majority of seats and then looked after their own interests, they were deterred by fear from exercising that right. I was determined to obtain redress for the people, if possible, as by my position I was bound to do; and for this two courses only appeared open.

If the School Boards, constituted as they then were, would consent to acknowledge and defer to the wishes of the majority, no one would have wished to dethrone them from the position which they had assumed. But if they refused to act in this equitable manner, then the only course left was to obtain security for the people, in the exercise of their lawful rights as electors to appoint a board which would fairly represent and execute their wishes.

The early approach of the next election, in the spring of 1879, left no time to do much for the present. That election, or rather appointment, was therefore allowed to go on as in former cases. I resolved to approach the proprietrix, Lady Cathcart, then Mrs Gordon, to explain the case to her, and obtain her protection for her tenants; and to be guided as to future elections by the way in which that board (of 1879) should have meanwhile discharged its duties.

Accordingly, in August (13), 1879, I wrote to the proprietrix, explaining the wishes of the people, and the advantages which the law provided for them in the matter of secular instruction, and the opportunities which it allowed for enjoying religious instruction as well. I expressed the hope that the boards, as already constituted, would be liberal enough to grant us Catholic teachers in future; but, in the event of their refusing, I asked her, not to interfere personally, but to give an expression of her wishes that her tenants should be free to exercise to the full their educational rights, and I asked this expressly that they might be free from all fear of molestation from others in the event of their having to use those rights.

Not receiving an answer to this letter, I wrote again (30th October 1879), and endeavoured still more fully and clearly to express our wishes. To quote one portion of this letter:—

‘It is not our wish to ask of you any course of action which would involve interference on your part in the working of the schools, still less to bring you in any way into collision with the local School Boards. Perhaps our views may be most clearly expressed as follows (speaking of South Uist and Barra):—

‘1. As the Catholics form the great bulk of the population of these islands, and their children form the immense majority in attendance at the board schools, they think it only fair that they should have teachers of their own denomination.’

‘2. They have full power, by the Education Act, to take the matter into their own hands, and to secure Catholic teachers for all the board schools in

' these islands. For, having a majority of voters, they can return a majority of Catholic members at every School Board election, and so they can retain the entire control of education in their own hands. They would prefer, however, not to push their right unnecessarily.'

XXVII.
Right Rev. A.
Macdonald,
D.D.

' 3. But in the first place they would like clearly to understand their position, and to know that you wish them to have the free and unfettered enjoyment of the educational advantages which the law of the land gives them. Or rather (for they do not doubt this), they would like to have from you the expression of such a wish, which would prevent others from misrepresenting your views, and from unlawfully using your name to enforce submission to a different state of things.'

I received a reply to my two letters, dated 21st November 1879. In it Mrs Gordon expressed her wish to deal liberally with all denominations, and whilst expressing a repugnance to interfere with board schools [which expressly she was not asked to do] she stated that she had no personal objection to what was proposed.

This appeared to be intended as acquiescing in what I had asked, and I resolved to act upon it as such. Subsequent events have sadly undeceived me.

For the next three years I kept myself informed as to the action of the School Board, in Uist especially, for in Barra the present board schools were not as yet built. Whenever a new school was opened in South Uist, or a vacancy occurred in those which had been in operation, the request of the Catholics for Catholic teachers was laid before the board. The practical result was that the claim was usually ignored. If, in some cases, it was agreed to get a Catholic teacher, the simple method of leaving the negotiations to the Catholic members was not permitted, and media of advertisement were employed which practically neutralised the board's consent.

It is hardly surprising that, when matters were administered in such a spirit, an unfavourable construction suggested itself in explanation of several unpleasant matters which occurred. For example, during the time that there was question of appointing teachers for certain board schools in Uist, on two occasions the notice of meeting sent to the Rev. Donald Mackintosh, Benbecula, the only active Catholic member, was misdated by one day, bringing him to the appointed place just too late to take part in the proceedings. Again, an application presented by a Catholic male teacher was never produced at the meeting. Although known to have been sent, it must in some extraordinary way have miscarried, for the clerk declared that he had never received it.

Towards the end of 1881 the new board schools in Barra were approaching completion, and it became necessary to look out for teachers. As will be seen from the documents appended, the proportion of children at the various schools, from a denominational point of view, was this—in Castle Bay district, Catholics, 160; Protestants, 20; in North Bay district, Catholics, 95; Protestants, 5. No pains were spared to secure good Catholic teachers for those Schools; and as it was known that the proprietrix, now Lady Cathcart, was anxious to have a first-class male teacher in Castle Bay School, special pains were taken to secure this object, and with complete success. These Catholic candidates were proposed at the meeting of the School Board held to select teachers, and excellent testimonials were produced, but they were rejected and Protestant candidates chosen in their stead.

From the appended documents (No. I.) it will be seen that the leading Catholics of Barra had addressed a memorial to the local factor, Mr Barron, who was chairman of the board, pointing out the reasonableness of the Catholic claim, and mentioning that thoroughly qualified Catholic teachers had sent in applications for both schools. In his reply (App. No. III.) Mr Barron favoured them with his personal views as to the qualification of

XXVII.

Right Rev. A.
Macdonald,
D.D.

teachers, and added that, as it was of the utmost importance to secure first-class teachers (which no one denied), 'and as instruction in religious subjects 'is not compulsory, the question of creed is of *secondary importance* in selecting a duly-qualified teacher.'

It is hardly necessary to add that (1) what Mr Barron ought to have considered was, not his own private views, which he was at full liberty to hold, but the views and wishes of the enormous majority of those whom he represented, which, as regarded the importance of religious instruction, were diametrically opposed to his own. (2) His reference might have been allowed some weight had it not been possible to procure a duly-qualified teacher who would meet the wishes of the people; but this has never been expressly called in question, nor is it consistent with known facts.

Meanwhile, the head factor, Mr Ranald Macdonald, had addressed a letter to the clerk of the Barra Board, Mr Allan Macdonald, in which he explained the steps he had taken to carry out Lady Cathcart's wishes with regard to Castle Bay; and in this letter I may call attention first to the care with which the wishes of the people were throughout ignored, as regarded the denomination of the teacher, although he might have perfectly well met her Ladyship's wishes and those of the people at the same time. There was no incompatibility between them, except on one of two suppositions—either that Lady Cathcart was opposed to the appointment of a Catholic teacher, whether duly-qualified or not; or that such a thing as a duly-qualified Catholic teacher could not be obtained. And, secondly, it is worth observing that whilst entering into certain arrangements as to North Bay School, there is not the slightest hint as to the propriety of appointing a Catholic teacher to that school (App. II.)

The head factor wrote again, 17th November (App. IV.), to the clerk of the Barra Board; and on this letter it seems to me almost needless to comment, further than to point out, first, the startling mis-statement and misapplication of the education law and perversion of logic which it exhibits; and also the manner in which his position and Lady Cathcart's views are brought forward to influence the decision of the board. But, thirdly, I must point out also that the appeal to the majority of the board is also a mere sham, considering the way in which that board was appointed—i.e., in total disregard of the wishes of the majority of people and even of ratepayers.

It is not surprising that, after this correspondence, the lay-Catholic members saw no alternative but to submit to the inevitable. The Catholic clergyman, however, the Rev. John Macdonald, felt bound to protest against such an over-riding of the lawful demands of those whom he represented, and he addressed another memorial on his own account to the local factor (App. VI.); and at the board meeting he protested against the decision arrived at in accordance with the factor's wishes. This brought down upon him a long letter from the head factor (App. VII.), on the greater part of which it is not necessary to comment, especially as that is done pretty fully in my reply (App. VIII.) It is, however, well to draw attention here to what occurs in the latter part of his letter, in reference to a teacher for North Bay. It appears unsatisfactory that this enlightened view should have only dawned upon him at this stage of the negotiations, and it is not easy to understand on what grounds he is able to violate, in this case, the educational principles he has before so strongly advocated and enforced. Nor is it easy to see what grounds he could give of a solid nature to justify the appointment of a Catholic teacher for North Bay School, which would not be equally applicable to the school at Castle Bay.

Several other letters passed between us on the subject, but with no result. As I was anxious to leave no means untried of ascertaining Lady Cathcart's real views, I then sent a full copy of all the correspondence to her Ladyship,

or rather, as she was in a delicate state of health, to Sir Reginald Cathcart, and later on I endeavoured unsuccessfully to obtain an interview with him. Some little time after I received a letter from Lady Cathcart herself, which to my regret only proved that it was as hopeless to obtain a discussion of the case on its real merits with her as it was with her factor.

So matters ended for the time; and I have only to add that when, in the spring of 1882, the School Board election again came round, it became clear to me that it would be useless to attempt to force an election; not because the people were satisfied, but because they did not feel that freedom and security which would have allowed them to record their votes as they wished. As we could not, for that reason, rely upon the success which our numbers ought to have guaranteed, and as there was no wish to run the risk of uselessly increasing ill-feeling, matters were allowed to run on in their old course, until a better opportunity should present itself for having the question properly settled.

The appointment of a Royal Commission appeared to afford such an opportunity, and therefore I have taken the liberty to forward, for its consideration and examination, this statement, drawn up as fully and carefully as the very limited time at my disposal permitted.

✠ ANGUS MACDONALD,

Bishop of Argyll and the Isles.

I.—Copy Memorial by ARCHIBALD M'LELLAN, Watersay, and OTHERS, to
JAMES BARRON, Esq., Chairman, Barra School Board.

* BARRA, November 1881.

JAMES BARRON, Esq.

DEAR SIR,—Our object in writing to you regards the school teachers in Barra. As we suppose you will consult Mr Ronald M'Donald on the matter, we consider it proper to lay the following facts before you. The number of school children on the main island of Barra is 280; of these, 180 are in the Castle Bay district and 100 in North Bay district. In religion they stand thus:—In Castle Bay district, 160 Catholics and 20 Protestants—but five of the latter are nearly four miles from school; in the North Bay district there are 95 Catholics and five Protestants—two of the latter being children of the Free Church catechist, who will not probably send them to board schools. We, who know the people of Barra intimately, beg to assure you that there is great anxiety amongst them to have teachers of their own denomination to teach their children, and surely, taking numbers into consideration, we ask nothing out of the way in asking that this should be done.

The parents of all the Catholic children are natives of Barra. The parents of all the Protestant children, without a single exception, are strangers, and some of them being servants have no hold upon the island, but just as long as they are kept as such. Excellent Catholic teachers can be got. Mr Stephen Lynn, who has sent in his application for the Castle Bay School, is a Catholic, and has the highest testimonials as to character and ability. For

* The 7th November, as appears from Mr Barron's reply. App. III.

XXVII.
 Right Rev. A.
 Macdonald,
 D.D.

the North Bay School two applications have been sent in by Catholics, one Miss Ann Myron, the other Miss Teresa Duffy, both excellent teachers, especially the former. Of course, they all have been trained, and have high-class certificates. From Lady Gordon Cathcart's uniform kindness to the people of Barra, we have no doubt but she would wish to gratify their ardent desires in this matter.

We have only to add that the present teacher in Mingulay is a Protestant, and as he has been there for many years, it is our opinion that he should not be disturbed.—Your obedient Servants,

ARCHIBALD MACLELLAN, Vatersay.
 JOHN MACDONALD, C.C.
 NEIL M'NEIL, Castle Bay.
 TEDDY GLANCY, Castle Bay.

II.—An Extract from a Letter from R. M'DONALD, Secretary to Lady CATHCART, to Mr ALLAN M'DONALD, Clerk to the School Board of Barra, dated Cluny Castle, 7th November 1881.

I intimated to your board some time ago that Lady Cathcart was most desirous that the school at Castle Bay should be a first-class school, and offered on certain conditions to pay £20 of the teacher's salary.—I understood this proposal was favourably received by your board. Acting on this arrangement I have been carefully looking about for a really good teacher to be recommended by Lady Cathcart to your board.

I have been in correspondence with the Government Inspector of Schools, Mr Robertson, who kindly promised to assist in getting a good teacher for Castle Bay. I had letters from two teachers, recommended by the Government Inspector, and I am sorry to say that the one I selected to be recommended to your board has got a good school near Inverness, and has therefore withdrawn his application. I am still corresponding with the other, and as soon as I am satisfied we have the chance of getting a thoroughly good teacher who has proved himself to be successful I will write to you. The teacher with whom I was corresponding earned a grant during the last three years avering £1, 0s. 10d. for each scholar on average attendance. This was really the best proof we could get. We have now the near prospect of getting £2199, 3s. 2d. of a *free building grant*, and a loan, on moderate terms, of £1098; and, if good grants are obtained for the scholars, I think it is possible the school rate in Barra may be lower than in any place in the Hebrides. A good salary will have to be allowed to the teacher of the Castle Bay School, so as to place within the reach of the children in Barra the means of acquiring a thorough course of instruction. The salaries of teachers are now much lower than they were a few years ago; but, in order to get a good teacher, I believe it will be necessary to offer £70—that is, £50 from the School Board and £20 from Lady Cathcart—together with the help of the Government grant. A good teacher, with regular attendance, should earn a very good grant for the Castle Bay School. The services of a pupil teacher will likely be required. I enclose printed extracts showing the result of the teaching of the candidates for Castle Bay School to whom I referred, which show what grants *can be earned* by a skilful and successful teacher.

Now, with regard to North Bay School, while I should be glad to assist your board, if they wish it, I have abstained from doing anything beyond this, viz. —That I pointed out to the Ladies' Committee that their school at North Bay is now not required, and that the effect of keeping it open as a competing school is simply to diminish the attendance, and necessarily the Government

grant in the Public School. In agreeing to close the North Bay School as a competing school, I have reason to believe that the Ladies' Committee—having sufficient funds—are willing to relieve the Barra School Board of the burden of maintaining the Mingulay School. There is no doubt whatever it is for the interest of the ratepayers that the School Board should gratefully accept the proposal of the Ladies' Committee, as by doing so, they would secure a good attendance, and a good Government grant at North Bay School, and they would be entirely relieved of all pecuniary responsibility regarding the Mingulay School. You should call a meeting of the School Board, and lay this proposal before them, and let me know the result. I may mention that it was a suggestion of mine, that, as the Ladies' Committee had ample funds, it would be better to close the North Bay School as a competing school, and let the Ladies' Committee take charge of the Mingulay School, and relieve your board of all pecuniary responsibility in connection with the teacher's salary and management of the school, beyond, that as a School Board, you were entitled to take such steps as you might deem expedient from time to time to satisfy yourselves, that the education given in the school was (in the sense of the Education Act) efficient. They would get the use of your school building, and during the time they occupied it they would have to take care of the building.

XXVII
Right Rev. A.
Macdonald,
D.D.

III.—Copy Letter JAMES BARRON, Esq., Chairman Barra School Board, to ARCHIBALD M'LELLAN, Esq., Vatersay, Barra.

RESIDENT HARBOUR ENGINEER'S OFFICE,
LUCKIE, 16th November 1881.

ARCHIBALD M'LELLAN, Esq., Vatersay, Barra.

DEAR SIR,—I was duly favoured with your memorial of 7th inst.

I beg to assure you that the matter referred to shall have my most careful consideration.

I trust you will excuse me when I state to you my opinion with reference to the appointment of teachers for Barra Schools.

It is of the utmost importance that the board should endeavour to obtain the services of first-class teachers, and as instruction in religious subjects is not compulsory, the question of creed is of secondary importance in selecting a duly qualified person.—I am, dear Sir, yours faithfully,

JAMES BARRON

IV.—Excerpt from Letter, R. M'DONALD, Secretary to Lady CATHCART, to Mr ALLAN M'DONALD, Clerk to the School Board of Barra, dated at Cluny Castle, 17th November 1881.

Since I wrote to you on the 7th inst. I received a letter from Mr J. C. Robertson (who is now temporarily discharging the official duties of the Chief Inspector of Schools for Aberdeenshire district), in which he repeats his strong recommendation of Mr Cameron, who has proved himself to be a most successful teacher, both in large schools such as the Greenock School, and medium-sized schools such as the one he now manages. I have taken considerable pains to get a good teacher for Castle Bay School, and I have the utmost confidence in asking your board to confirm the selection made by Her Majesty's Inspector of Schools. As the school is ready for occupation, the sooner it is opened the better, and the parish is now losing by every day's delay which takes place.

XXVII.

Right Rev. A.
Macdonald,
D.D.

Although the acceptance of Lady Cathcart's offer was formerly intimated, and on the faith of this acceptance I took a good deal of trouble in the matter, yet if there is any change of views by the majority of the board, I have no wish to do anything farther; but if, on the other hand, they still desire to carry out the arrangement, which I understood had been practically concluded, I shall have much pleasure in bringing to a formal termination the engagement of Mr Donald Cameron, and I assure you I reckoned myself fortunate in getting hold of such an excellent teacher. If the board wish me to act in this matter, it will be proper that they should sign the enclosed letter or minute of authority, and on receiving this I will at once do my best to carry out their wishes.

It is with reluctance that I allude to the steps taken by two respected members of your board—Rev. J. Macdonald and Mr Neil M'Neil, supported by Mr M'Lellan, Vatersay, and Mr T. Glancy, Castle Bay—in corresponding with the chairman of the board, praying that the teachers of the Barra Public Schools should be selected only from the Roman Catholic denomination.

If I had thought that the nominal connection with any denomination would be made a condition, I would have respectfully declined to take any part in the matter. No one can justly accuse me of being actuated by sectarianism in selecting tenants or servants on any of the estates with which I am connected. I have, however, met with good and bad among all denominations, and I consider the denomination to which a person belongs a most treacherous test. It is significant that I expressed these views to Her Majesty's Inspector of Schools when I first applied to him, and told him that it was my general practice *not* to inquire about the religious professions of candidates for farms or situations, lest I should insensibly be influenced thereby. In public matters, such as school appointments, I did expect that Mr Neil M'Neil would take the same view as I do myself, and I am surprised that he would exclude all, however otherwise well qualified, except those connected with his own denomination. He enjoys a practical monopoly of the trade of Barra, and I always understood that he acted on the policy, in public and secular matters, of making no distinction between one denomination and another, and therefore I was not prepared to see his name attached to the communication I received yesterday from Mr Barron. Unfortunately, sectarianism caused a good deal of bitter contention in the management of many schools, and the vital educational interests were neglected. To put an end to all these petty jealousies the Act carefully excluded the religious element from all public schools, and the teacher of a public school is now no more of a religious instructor than an excise officer or any other general public official, and should a teacher of any public school interfere with the religious belief of any child he exposes himself to be censured or otherwise dealt with by the board. On the mainland, the members of School Boards representing three times the number of denominations in Barra, work cordially, together in promoting secular education in the public schools, and the most of the denominations attend to the religious teaching by Sabbath schools and other agencies, and surely this is a more enlightened course of action than to attempt to exclude all from the office of a teacher except one favoured denomination.

I have really no personal denominational interest in the Barra Schools, and my chief aim and object had been to promote efficient education in such a way as to be as light a burden on the ratepayers as practicable. The School Board, or a majority of them, on whom the Act lays the responsibility of appointing the teachers, may draw back from the undertaking made with Lady Cathcart, but it will be a breach of faith if they do so. And if they intended to do so, it would have been more courteous if they had given me notice before I took steps for the election of a teacher for Castle Bay Schools.

V.—Excerpt from Letter, Mr RANALD M'DONALD, Secretary to Lady CATHCART, to Mr ALLAN, Clerk to the School Board of Barra, dated Cluny Castle, 17th November 1881.

XXVII.

Right Rev.
Macdonald,
D.D.

DEAR SIR,—Since writing you about the Barra Schools, I thought I might send you, for the information of your board, an article I have cut out of the *Scotsman* newspaper of Wednesday last. Being chairman of two School Boards on the mainland, I consider it my duty to watch the progress of other schools, and endeavour to keep our own schools, if possible, above the average of the country.

From the paper enclosed your board will see the average grants gained by the schools in Edinburgh, Glasgow, and Greenock, and it is remarkable that Greenock is the highest. I was rather pleased to notice this, as Mr Cameron, the candidate for Castle Bay School, came a few years ago from one of the Greenock schools.

Instead of any internal squabble, I hope the practical good sense of your board will come into action, by selecting the best teacher, without reference to creeds or religious professions.

If they do so, I have no doubt your schools will be a success.

VI.—Copy Letter, the Rev. JOHN MACDONALD, C.C., Barra, to JAMES BARRON, Esq., Chairman, Barra School Board.

BARRA, 5th December 1881.

JAMES BARRON, Esq.

DEAR SIR,—Mr A. M'Lellan, Vatersay, handed me your letter, dated 16th November, in answer to our memorial to you, showing why Roman Catholic teachers should be appointed to the schools in Barra. In answer, I beg to submit the following statements for your consideration, as I think you are not really aware of our feelings as Catholics on the subject:—

In your letter you make education almost everything, religion only secondary. In this we Catholics differ from you. We assign the first place to religion. We look on education without religion as a shadow without the substance, as a body without a soul.

In this matter we are the parties concerned, and surely we have a right to think for ourselves so far as regards ourselves. We have no wish to intrude our opinions on others; why should others intrude their opinions on us in a matter of such consequence, and which regards not them but us.

Granted that religion is not taught directly in the schools, still the good or bad conduct of the teacher will always influence the children for better or worse. If, in spite of the parents, you appoint Protestant teachers, there will be no sympathy, no kind, cordial feeling between the children and their teachers. Parents and children will have a feeling of suspicion against the teachers, a feeling of degradation, a feeling of oppression, a feeling of injustice done to them; and so long as this galling yoke is imposed on them, so long will there be bitter animosity between those on whom it is imposed and those who impose it. We surely have as much interest in having our children educated in the best possible manner as any others can have.

For this purpose we sought and obtained the services of very excellent teachers of our own denomination. Mr Stephen Lynn is recommended to us by the Principal of the Hammersmith Training College, London; Miss Ann Myron by the Principal of the Catholic Training College, Liverpool. Is there

XXVII.

Right Rev. A.
Macdonald,
D.D.

any reason why they should not be appointed? Who can give a truer character of teachers than those who have trained them? In your letter you say that the law will protect the Catholics from any interference to their religion on the part of Protestant teachers. Well, really, it is a pity that in a school containing 150 Catholics and only 20 Protestants, that in another school containing 95 Catholics and only 5 Protestants, teachers should be appointed from whom Catholic children must have recourse to the law to protect their consciences. Sir, it will be cruel injustice. Perhaps you may say that Protestants have as much right to have their conscience protected as Catholics. Granted. They certainly have as much right. But have they more? Have 5 more right than 95? Have 20 more right than 150? Had we contested the last two elections to the School Board we would not now be in the position we are. We would have had a majority at the board. But when a former factor asked me not to contest the election, as it would be hard if the proprietors were not represented at the board, I, for the sake of peace and harmony, yielded. Is it right or honourable in a successor to take advantage of our good nature and peaceable dispositions, to injure us so deeply? We still wish for peace, if justice be done to us. Lady Gordon Cathcart may not be aware of how sore we feel on the subject, but if our reasonable request be refused, we shall lay the whole case before her, with full explanations, and from the brief knowledge we have of her, we believe she will cause justice to be rendered to us, and we ask for nothing more. In the meantime, I earnestly beg of you to postpone the election of teachers until her Ladyship is consulted on the matter.—I am, Dear Sir, Your obedient Servant,

JOHN MACDONALD, C.C.

VII.—Copy Letter, RANALD MACDONALD, Esq., Cluny Castle, Aberdeen, to the Rev. JOHN MACDONALD, C.C., Craigstone, Barra.

CLUNY CASTLE, ABERDEEN,
10th January 1882.*Barra Schools.)*

REV. DEAR SIR,—The Clerk of the Barra School Board sent me an extract minute of the meeting held on 7th December last, from which I regret to see your name appears as *dissenting*. All the other members of the board having agreed to implement the arrangement made by your School Board with Lady Cathcart, at the meeting held on the 24th February 1879, your dissent had no practical effect on the decision of the board, but in other respects it is not without significance, and shows a change of attitude towards Lady Cathcart; for I observe from the extract minute sent to me in 1879 that you were present at the February meeting of that year, and was a consenting party to the arrangement against which you have recently recorded your formal dissent.

In carrying out Lady Cathcart's part of the agreement made with your School Board, with the view of making the school at Castle Bay a 'Principal Public School' (as stated in your minute of February 1879), I applied to one of Her Majesty's Inspectors to recommend a thoroughly experienced and successful teacher, combined with respectability of character. In applying to the Government Inspector of Schools for assistance in the selection of a teacher, I was careful to explain that religious profession was not to affect the selection, and I mentioned that the usual rule was, in any selection connected with estate administration, not to inquire as to any candidate's con-

nection with any sect or denomination, but to have regard to the *personal qualifications* for any special appointment to be filled up. You must be personally aware that *this practice has been universally adopted in your own district*. With the view of benefiting the people of Barra you know that Lady Cathcart recently offered to assist some of them to purchase boats. In doing so there was no attempt made to overlook your people. I really cannot say whether those to whom the offer was made were Protestants or Catholics; and I should be extremely sorry if any sectarian action were taken to render it necessary, in future, to make any distinction in estate administration between the adherents of any religious sect or denomination. The recent changes made in Barra might almost seem to indicate that a preference was given to Roman Catholics. The last large grazing let (Vatersay) was given to a Roman Catholic, and the last large croft let was given to Mr Neil M'Neil, and in both cases the former tenants were Protestants. The selections were made irrespective of sects, and entirely owing to the personal qualifications of the new tenants. In every different way in which any effort was made to benefit the people in the parishes of Barra and South Uist they were always treated fairly and impartially, and no one was excluded on account of his religious profession or connection with any denomination of Christians. As stated already, I made it a rule not to inquire what sects they belonged to, but when employment was offered to people from the Western Isles at Buckie Harbour, the Rev. Mr Clapperton can tell you that a large proportion of them belonged to your denomination. The Rev. Mr Wilson, Fetternear, can tell you the same about the men from the Western Isles employed at Cluny, and I believe it happens that at present the whole of them (at Cluny) happen to be Roman Catholics. I have in my office here, a young man from Benbecula who is a Roman Catholic. Considering the care which has been taken to act justly and impartially to all, I frankly confess that the letter you wrote to the local factor on the estate of Barra, dated 5th December, manifests a strong feeling on your part which I am very sorry exists, for it shows how the efforts in the past are so very little appreciated by you. The expressions you use, such as imposing a *galling 'yoke,' causing 'bitter animosity,' 'feeling of degradation,' 'a feeling of oppression,' 'a feeling of injustice,' &c.* These strong expressions primarily referred to the school appointments, and specially to the fulfilment of the arrangement made with Lady Cathcart by the board in 1879. Your observations could not refer to the North Bay School appointment, as your letter is dated the 5th, and the meeting of the School Board took place on the 7th December. I hope, on full reconsideration of the past history of the estate administration, you will modify the very strong expressions in your letter to the factor quoted above, and that you will see the propriety of not unnecessarily introducing sectarian views (which may lead to *'bitter animosity'*) in connection with the public and social business. In the management of public schools, Parliament took special care to prevent, as far as possible, unseemly disputes about religious instruction in schools regulated by the Education Act of 1872. The Government Inspector takes no cognisance of religious instruction, and if given at all it is subject to a *conscience clause*, and the 68th section of the Education Act prescribes

That no child shall in any such school be placed at any disadvantage
 'with respect to the secular instruction given therein by reason of
 'the denomination to which such child or his parents belong, or
 'by reason of his being withdrawn from any instruction in religious
 'subjects.'

Now that our schools are *publicly* supported by those connected with different denominations, it would be better if each denomination made separate provision for the religious teaching of the children respectively belonging to each.

XXVII.

Right Rev. A
 Macdonald,
 D.D.

XXVII.
 Right Rev. A.
 Macdonald,
 D.D.

Both religious instruction, as well as secular education, would be more satisfactorily promoted by doing so, than by going through the form of teaching religion in the public schools by the teachers, which often leads to unseemly squabbles. It is with some hesitation I offer any suggestion as to the duties of the School Board, as they have independent statutory powers. I know that Lady Cathcart takes a great interest in the social and educational improvement of her people in the Western Isles, and would feel disappointed if any ecclesiastical discord obstructed the social welfare of the people. I may also state that, personally, nothing connected with the management of the estates, either on the mainland or in the insular districts, would gratify me more than to see the gradual and decided improvement of the natives of South Uist and Barra, socially, industrially, and educationally. I hope that in these matters you will heartily sympathise with me, and that while reserving to yourself the fullest liberty to take steps for the religious instruction of your people, you will see the propriety of not unnecessarily intruding the teaching of sectarian views into the public region, when you come into contact with those who hold conscientiously different views. As stated already, it appears to me that the peaceful and tolerant course, in these circumstances, is to give every facility for the separate teaching of denominational religion, and leave the teacher of the public school to deal with the branches of education which are recognised by the Act as necessarily forming his duties, and also recognised by the Government Inspector. By adopting this course, the cordial co-operation of members of School Boards connected with different denominations might be secured, and it is exceedingly desirable that in such a place as Barra hearty co-operation among all the members should be secured, and in order to secure this, mutual concession should be made. This leads me to remark that if I had been a member of your School Board I would have voted at your meeting of 7th December as Mr Neil M'Neil did, by (1) confirming the arrangement previously made with Lady Cathcart about Castle Bay School; and (2) by preferring Miss Teresa Duffy, or postponing the election, in the hope that an experienced Roman Catholic female teacher might be got who could speak Gaelic. Even though I hold the view that the *public* school is not the proper place for religious instruction, yet I have all along been of opinion that it was proper,—*cæteris paribus*,—that one of the teachers should be connected with your denomination. Before your meeting in December, I spoke to one of the Government Inspectors to bring the North Bay appointment under the notice of any qualified teacher who was a Roman Catholic. I then heard of a Miss Macdonald, in the Arisaig district, but it was thought she would not go to Barra. There was another name also mentioned, but she did not come forward as a candidate. I had a conversation with Mr Barron after he returned from Barra. He then told me that he would have voted for Miss T. Duffy, if she had had a knowledge of Gaelic. He was aware that in elementary teaching in the Highlands and Islands, the Inspector of Schools attached considerable importance to this part of the qualifications of a teacher. I appreciate the courtesy shown to me by members of the Barra School Board, and I have no doubt they did what they at the time thought to be right when they appointed Miss Gibson, who is known to be a respectable young woman of good abilities; but I must admit I was disappointed when I heard of the decision of the board, and would have preferred if every means had been exhausted to secure the hearty concurrence of all members. I may state that I have taken means to induce Miss Gibson's father to withdraw the acceptance of the situation on behalf of his daughter, and he has practically agreed to do so, and thus an opportunity will be afforded to elect a Roman Catholic teacher to fill the situation at North Bay School. If you know a certificated and successful teacher suitable for the North Bay School, you may ask her to send in a formal application to the

chairman of the board, and you will not overlook the importance the Government Inspector attaches to a knowledge of Gaelic, in teaching children who understand no other language.—I remain, Dear Sir, Yours truly,

XXVII.

Right Rev. A
Macdonald,
D.D.

RANALD MACDONALD.

The Rev. John Macdonald, R.C.C.,
Craigston, Barra,
By Lochmaddy.

VIII.—Copy Letter, Bishop MACDONALD, Oban, to RANALD MACDONALD, Esq.,
Cluny Castle, Aberdeen.

OBAN, BISHOP'S HOUSE, 27th January 1882.

DEAR SIR,—The Rev. John Macdonald, Barra, has informed me of the discussions which have taken place of late regarding the appointment of teachers to the two public schools recently erected in that island. I regretted very much to learn that there was danger of bad feeling being aroused on the subject. As the education question there, as in other Catholic districts, has for some years past been a matter of deep interest to me, I am induced to intrude upon your time by the conviction that great part of this unfortunate state of affairs is due to misconceptions; and also by the hope that, viewing the case from a distance, I may be able to offer explanations in a calmer and more conciliating tone than is easy for those to assume who are in the heat of the dispute. It is difficult, indeed, in stating arguments, to avoid the appearance of controversy; but it is my sincere wish to approach the subject in a friendly though perfectly candid and open manner.

You may perhaps wonder on what grounds I interfere in the question at all. I trust that the sequel will make this clear.

I. The first thing which strikes me forcibly in your letter of the 10th inst. to the Rev. Mr Macdonald is the view with which it opens, viz., that those members of the board who persist in asking the appointment of Catholic teachers were placing themselves in opposition to Lady Cathcart's wishes, and solely responsible for the existing religious party spirit; and the further remark to which it leads, amounting to a distinct threat, that if they persist in that course it may be necessary in future to make (in social and estate relations) a distinction between members of different denominations.

Now this calls imperatively for an explanation. Considering all that Lady C. has done, and is still disposed to do, for her tenants, without distinction of class or creed, any course by which a particular section of those tenants should place themselves in opposition to her Ladyship in what concerned estate management, or in any matter in which she claimed control over them, would be most unjustifiable and most disastrous from every point of view. But I think it will not be difficult to show that in this case there is a great misunderstanding—a confusion, possibly, of ideas, which, when explained, will remove the difficulty, but which if allowed to subsist might lead to very lamentable results.

In what concerns estate management nothing could justify class opposition except a patently unjust treatment of that class. The supposition of any such injustice is here out of the question. I never heard a single person in South Uist or Barra speak of Lady Cathcart but in terms of deep respect and affection; and nothing less than this has been deserved by her.

But the education question is not one of estate management, nor is it one in which Lady Cathcart wishes to interfere in any way whatever. The first state-

XXVII.

Right Rev. A.
Macdonald,
D.D.

ment is clear from the Education Act of 1872; the second from her own assurance to myself.—

To take the matter in detail.

(1) The Education Act does *not* exclude religious teaching from public schools. It does not *enforce* it, but it *permits* it under certain conditions. The aim of the Act was to enforce sound secular instruction throughout the land, whilst interfering as little as possible with the religious views and wishes of sections of the community. For this purpose it requires that every State-aided school (whether public or denominational) should, every time it meets, give two full hours of secular instruction from which all religious teaching is carefully and peremptorily excluded. But it leaves it to the managers of such schools to allow religious instruction to be imparted in them (to children only whose parents wish it) *out* of the hours of secular teaching. More than that, if even a small minority of a different denomination are not able in conscience to avail themselves of the religious instruction thus given—say in a public school—the Education Department, both in theory and in practice, allows that to be a sufficient reason for permitting that minority to open a school for itself, and for admitting such school to Government inspection and Government aid. It cannot be said in the face of this that the Education Act excludes religious instruction from public or State-aided schools.

(2) Further, the same Act leaves the appointment of the managers of public schools in any given school district to the ratepayers of that district. These have the full legal right to appoint such members for the school board as shall best represent their wishes, or at least the wishes of the majority. By the laws of the land, each School Board is, on a small scale, for its district, what Parliament is for the kingdom. The electors are the constituency; the members are their representatives. And the constituents have a full right to turn the members out of office if they fail to represent them faithfully.

The conclusion from all this seems to me inevitable—that by the law the ratepayers have the *full* and *sole* right to determine through their representatives whether there shall be religious instruction given in their schools, and by whom it shall be given. Any course which deprives them of their freedom to exercise this right, and overrides their wishes on this subject, is an interference with a *legal* right, which is exercised jealously in every other part of Scotland. Everywhere else, where non-Catholic electors have been in a majority (I speak with considerable knowledge), they have spared no pains to keep their advantage. As far as I have ever heard, with one exception (and that the case of a Catholic district), the only instances in which a majority of ratepayers have waived their right, and allowed a minority *numerically* insignificant to have the lion's share of representation on the School Board have been those very Catholics of South Uist and Barra who are now accused of an illiberal and bigoted spirit. Elsewhere, where a board mainly composed of non-Catholics has had to deal with Catholic districts under its jurisdiction, it has invariably (and the cases have not been rare) admitted the right of these districts to have Catholic teachers, and has left it to the Catholic members to find the teacher—naturally enough, as they were most likely to be successful. In South Uist and Barra alone has a small but *enlightened* and *liberal* minority used the control which it only possessed from the unexampled forbearance of the poor Catholics to refuse persistently every request of the Catholics to have teachers (easily procurable) of their own denomination, in schools filled almost entirely with Catholic children, and to refuse to let Catholic members look out for such teachers. There, and there alone, we find them looking for teachers and advertising for them in those quarters and through these channels only through which there was least hope of lighting on a Catholic. Can it be wrong under such

circumstances to judge the motives of these men rather by their conduct than by their professions?

I believe that if the past history of these transactions were laid before the public, the difficulty would be to get the public to believe it possible in this nineteenth century. Of one thing I am sure, that had it been a small Catholic minority which had so dealt with an overwhelming non-Catholic majority, their action would not have been tolerated for a single day. The press would have teemed with denunciations of such an illiberal policy, and language would have been used besides which the strongest expressions used by the Rev. John Macdonald would have appeared tame.

II. Again, you seem to reproach the Rev. Mr Macdonald with now wishing to withdraw from an agreement entered into with Lady C. in February 1879. But what was that agreement? Apparently that she would give £20 towards Castle Bay teacher, provided that school were made a 'principal public school,' or provided that a thoroughly efficient teacher were appointed. How does the demand for a Catholic teacher involve the breach of any such agreement? Does a school cease to be a 'principal public school' by the appointment of a Catholic teacher to it? Or is it implied that such an article as a thoroughly efficient Catholic teacher is not to be had in the market? Many of H.M. Inspectors of Schools could have told you that they are to be had. The Catholic male teacher whom I got to apply for Castle Bay school, and who appears to have been rejected, has now been appointed to a large Catholic school in Greenock, where, as official statistics will show, Catholic education is fully on a par with that of the public schools.

But, then, to carry out Lady C.'s views, you consulted H.M. Inspector about a teacher, and were 'careful to explain that religious profession was not to affect the selection.' But the electors of Barra and their *true* representatives demanded, and had a legal right to demand, that religious profession *should* affect the selection. It certainly seems odd to a spectator that the self-constituted board should divest itself of its functions and delegate them to another party (however otherwise worthy); and that he should in turn be 'careful' to exercise the powers confided to him *in direct opposition* to the wishes, all but unanimous, of those chiefly interested; that he should advance this as a proof of the thorough absence of prejudice, and should express some measure of indignation, because some decline to be grateful to him for so doing! Seeing what the rights and wishes of the people on this point are, surely it would have been no harm, it would have argued no want of liberality or of zeal for education, to have made the experiment of a Catholic teacher.

III. In one place you argue—'Now that our schools are publicly supported 'by those connected with different denominations, it would be better if each 'denomination made separate provision for the religious education (of its respective children).' The thought occurs to me to wonder whether this view has been thought of, or acted on, in the South Uist Board Schools. But to pass that by, why should it be so? If all cannot enjoy the benefit of religious instruction given daily in the school, but some must be debarred from it, why must all be on that account deprived of it?—and especially when one denomination represents the overwhelming majority (in Eriskay, I believe, there is not a single non-Catholic scholar), why should this immense majority be deprived of such an advantage, because a mere handful of others cannot share it? How commonly we find religious (non-Catholic) instruction given in public schools throughout Scotland, though hundreds of Catholics and other Dissenters have to contribute to the support of these schools.

Why have I entered into the subject at such length? Simply as the natural representative, in religion, of the Catholic population; because I see that the question is being discussed under aspects which I believe to be mis-

XXV

Right Rev. A.
Macdonald,
D.D.

XXVII.
 Right Rev. A.
 Macdonald,
 D.D.

taken ones; and because I am convinced that only a full and frank explanation on both sides, and a comparison of ideas, can effect a cordial and lasting understanding. We do not, and we cannot, look upon the question except as one involving religious as well as secular education; and the law fully sanctions this view. I have had considerable experience of religious instruction, and I can attest that without the school organisation and discipline, without the aid of trained teachers, the work of religious instruction and moral training must be very difficult and imperfect. Hence, when the law places such facilities within our reach, without injustice to others, we are, naturally, keen to avail ourselves of them. The poor people see, their common sense tells them, that they ought to have Catholic teachers. They cannot, indeed, formulate this claim or explain its legal details, but they look to their clergy and to their bishop to do that for them. I assure you that Catholics are not *one whit behind their neighbours in esteem for education*. But they value sound religious training still more, and they will leave no rightful means untried to secure every facility which the law affords towards securing it. If the Rev. J. Macdonald seems to stand alone in his present attitude, it is not that others do not share his views, but that he, as pastor, is bound to disregard worldly influences which naturally weigh heavily on members of his flock.

To be honest, I must make a further remark, not with a view to vent ill-feeling, but certainly as a reproach, which I think is merited. 'In the management of public schools, Parliament took special care to prevent as far as possible unseemly disputes about religious instruction.' Yes! but not by committing to the estate management department the right to control and override the wishes of majorities of ratepayers, and to enforce its views by threats of the proprietor's displeasure, and of possible social disabilities in case of disobedience. No! it placed the whole matter in the hands of the people, and it undoubtedly expected that those who, by their position and education, would naturally be looked up to as models for imitation in their respective spheres would first set the example of respect for the law, and of a hearty desire to avoid all interference with any legitimate expression of religious feeling. Should animosity now prevail, the responsibility will certainly rest, not with the poor Catholics, who have till now shown an example totally unexampled, but with the few who have refused them a right which the laws of the land allow to them; and I am confident that such would be the award of public opinion, were the question submitted to its decision.

I am glad that there is talk of a Catholic teacher for North Bay. I can't imagine an argument for this that is not good for Castle Bay and South Uist in general: but a half loaf is better than no bread. Hoping you will be able to believe that all this is written in the sincere wish to promote peace and union,—I remain, Dear Sir, Yours truly,

✠ ANGUS MACDONALD,
R.C. Bishop.

R. Macdonald, Esq.

XXVIII.

STATEMENT by Rev. RODERICK MACDONALD, Minister of South Uist. XXVIII.

(See Evidence, p. 698 et seq.)

Rev. R.
Macdonald,
South Uist.

DRIMSDALE, SOUTH UIST, 6th October 1883.

The Royal Commission not having been in session for the last few weeks, I delayed writing until now, although I had a desire to add to what I said before the Commission in May last, and this in consequence of statements made by others at the same time; which statements I think call for remark, and, in connection with a pamphlet (to be noticed further on) lately published, reflecting on the conduct of the South Uist School Board, require some correction.

I was therefore glad to receive your printed circular, of date 17th July last, informing me 'that the Commission would be glad to receive any written statement which I might be disposed to offer.'

At the same meeting at which I was examined by the Commission at Lochboisdale, the Rev. Mr Mackintosh, C.C., Daliburgh, was also subjected to examination, and in the course of his answers he stated that, as the Catholics of the parish formed such a large majority of the population, the School Board as presently constituted did not properly represent the inhabitants of the parish; that consequently the Protestant element should be eliminated out of the Board, or at all events placed in such a minority as to give the Catholic members the whole control of the Board's business, so that the Catholic religion should be taught in all the schools, adding that if the Protestant members were men of honour they ought to resign, and make room for Catholic successors.

Evidence
715 et seq.

I cannot profess to remember the *ipsissima verba* used by Mr Mackintosh, but I am satisfied that I do not misrepresent him, at all events I have no wish to do so, and if I have unintentionally misstated his views I shall be glad that he should correct me.

The question of the representative character of our School Board I shall deal with before I finish this paper; meantime I shall say a few words regarding the connection of Protestantism with the educational interests of South Uist previous to the passing of the Education Act of 1872, and in *limine*. I beg leave to state boldly, and that without fear of contradiction, that all the interest taken in the instruction of the young in the parish of South Uist up to 1872 was taken by Protestants

In this connection let me add that I am unwilling to make any statements that seem to betray controversial motives. I repudiate the idea. It is distasteful to me, and I have never indulged in it, but, as I must speak, I am bound to speak the truth, for the circumstances of the case require it.

First and foremost, then, in speaking of educational matters, the old parochial schools naturally have a claim to take precedence. I do not, however, require to say much about them. They do not need to be lauded by me or anyone else. They are now a thing of the past, but they can never be forgotten.

It was a grand idea that was at the basis of their institution. They left their mark on the Scottish nation, and if they did not make Scotland, as some allege, the best educated country in the world, Scotland unquestionably owes them an unspeakable debt of gratitude.

But Scotland outgrew the capabilities of her parish schools, and they had to be supplemented, and supplemented they were, and that nobly, especially

XXVIII.

Rev. R.
MacDonald,
South Uist.

in the Highlands, upwards of half a century ago. Some Highland ministers, conspicuously among them the Rev. Dr Norman Macleod, the Highlanders' friend, drew the attention of the General Assembly of the Church of Scotland to the educational destitution that existed in the Highlands. Whereupon the Assembly sent Dr Macleod and Principal Baird as a deputation to the Highlands of Scotland, visiting among other places the parish of South Uist, but before doing so, calling upon the Catholic Bishop of Lismore, who gave them letters of introduction to the priests in the Highlands. Everybody hailed with delight the noble project. The report of the deputation resulted in the formation of the General Assembly's Education Scheme, and I speak from personal knowledge when I state that they sent some of their very best teachers to the parish of South Uist, men of education and scholarship, well qualified to discharge the onerous duties of their important office, and there are living still in this parish men who speak with affection, gratitude, and respect of those teachers who were instrumental in bestowing upon them the blessings of education.

When, in addition to this, I mention the Society for the Propagation of Christian Knowledge in the Highlands and Islands of Scotland, with its numerous schools, planted in sequestered and outlandish places such as South Uist, not only for the purpose of giving an elementary English education, but also for teaching the natives a knowledge of useful and industrial work, it will be admitted that the Church of Scotland has nobly done her work in the education of the country.

It was all needed and more, and Lady Cathcart, recognising her duties to the people, and finding that there was a good field for a school in Benbecula, erected a splendid seminary there, and supplied a teaching staff, costing, including incidental expenses, a sum of £200 a year. This school gives not only elementary, but also secondary education, with industrial work, including sewing, knitting, washing, and dressing, on an extensive scale. Her Ladyship has done much, very much, for her people since she acquired possession of her Long Island properties, but, should she have done nothing more than the bestowal of this single blessing of the means of education for the young, she deserves their earnest gratitude.

All these schools were undenominational and unsectarian in the best sense of those terms, inasmuch as they were open to all, and no child's creed interfered with. There may have been a rare case of interference on the part of an over-zealous teacher, but the constitution of the schools did not sanction it, and the authorities having their superintendence scrupulously discouraged it.

Due credit ought also to be given to the Free Church, which, shortly after her formation, instituted an education scheme of her own, and certainly she was not neglectful of South Uist. She had excellent schools doing good work in this parish, and, upon a review of the whole subject, I humbly think that we were less in need of the provisions of the Education Act than many places.

All this time, it may be asked what was done for the educational interests of South Uist by its Catholic population? The answer is—literally nothing. The Protestants educated the Catholic children, many of them for nothing, and I believe I am right in saying that more than one respectable priest in the Highlands will acknowledge that they received the elements of their education in our Protestant schools. And do I blame the people of South Uist for this? By no means. They had their own chapels to build, they had their priests to pay, and they were poor. In these circumstances, then, and

seeing that the Roman Catholics of South Uist never spent a single farthing (as far as I know) in the education of the youth of the parish, I think, to say the least of it, the proposal of Mr Mackintosh seems very cool, viz., to use the money of the Protestants (for the Catholics pay only a small fraction, about one-fifth of the rates) to teach the tenets of the Church of Rome, and make use of an Act of Parliament, the spirit and letter of which I venture to say are entirely against any such purpose. In speaking of the Roman Catholic population of South Uist I have to say that, having lived among them for upwards of a quarter of a century, I found them most obliging, civil, and respectful; they were contented, happy, and loyal, and I have no doubt would continue to be so were outsiders to let them alone; nay more, I shall add, that having had many dealings with them, that having some of them in my service every year since I came to live among them, I have the most unbounded confidence in their truthfulness and honesty. In fact, there are many illiterate Roman Catholics, men and women, in South Uist to whom I would trust uncounted gold. Whether this is owing to racial heredity and transmitted qualities, or to clerical teaching, I shall not take it upon me to decide.

XXVIII.
Rev. R.
MacDonald,
South Uist.

The pamphlet alluded to at the beginning of this paper bears the name of the Right Rev. Angus Macdonald, resident Catholic Bishop at Oban. It consists of a number of letters which passed between the Bishop and some office-bearers connected with Lady Cathcart's Long Island properties.

App. A.
XXVII.

I believe, however, it does not contain the whole correspondence. I have it not beside me, but I read it cursorily some time ago, and the purport of it seems to be to show that in the administration of the Education Act there were no concessions made to the Roman Catholic population—in fact, that they did not receive from the School Board the consideration which, from their numerical majority, they were entitled to.

I do not think this is correct. Shortly after the passing of the Act there was a meeting of what may be called the local authority, when (the bulk of the people seemed to take no interest in the matter) we set about the election of a Board. I myself having had some experience in teaching, and as member of presbytery having had the superintendence of a number of schools, and as the minister of the parish, and as such supposed to be interested in anything that concerned the welfare of the parishioners, was expected to take part in the proceedings—so I offered my services, but on condition that two priests and the Free Church minister should be on the Board. Acting on this suggestion, the above parties, along with the requisite number of others supposed to be the most suitable, were duly nominated and subsequently elected, and became the first School Board of South Uist.

Since writing the above, I am reminded that there being more candidates nominated than the number of members to which the parish was entitled, a Protestant candidate, who afterwards became a very efficient member of the School Board, retired, so as to make room for one of the priests, and to avoid the expense of a poll.

A slight difficulty occurred at the very first meeting of the Board as to the question whether our meetings should be opened by prayer. This would have been agreeable to the majority of the Board, but, seeing that it might offend the Catholic members, it was ruled that each member should put up a mental prayer for himself, and that there should be no public audible prayer. By this concession some of us incurred a certain amount of unpopularity. However, we thought we did right.

The next difficulty was touching the teaching of religion, and we did minute

XXVIII.

Rev. R.
MacDonald,
South Uist.

that religion should be taught according to what is called *use and wont*, but this was not acted upon, and we thought it better that religion should be relegated to Sabbath Schools or any other means that the clergy might select, and that, according to the spirit of the Act, the energy of our teachers should be solely directed to the communication of a thorough sound secular education.

In the selection of teachers we never asked what was the creed or denomination of any candidate. We were entirely guided by the certificates of character and qualifications which they produced. In point of fact, we appointed two Catholic teachers, but none of them came forward. In the case of one of them we kept the school vacant for some time, and were obliged to appoint another, the Catholic candidate appointed failing to appear.

We employ Catholics as compulsory officers. We have given gratuities to Catholic children to enable them to prosecute their studies with the view of their becoming teachers.

At first, in advertising for teachers, we made a knowledge of Gaelic a necessary qualification, but afterwards we abandoned this in order to widen the area of selection, and also to give Catholic candidates a chance, Gaelic-speaking teachers being, as we understood, scarce with them.

So that I do not think we are righteously accused of denying to Catholics the consideration to which they are entitled. In fact, we considered ourselves as representing the whole and not any section of the population. Moreover, we have spent a great deal of time and trouble in getting school buildings erected, carrying on the extensive correspondence necessary for obtaining building grants, appointing teachers, and superintending the whole educational machinery; and I venture to say that our efforts have been crowned with considerable success. We have a full and an excellent staff of teachers at present. All our teaching grants for the last year have not yet come in, but one grant is announced amounting to £123, 15s. In short, we have borne the heat and burden of the day, and if we are spared to see the end of the present triennial period, I have every confidence that we shall be able to show that our labour has not been in vain.

On the subject of the crofters' grievances I do not intend to enter—grievances they have, as who has not?—but I do not think they succeeded in stating their case properly. The question is not what happened thirty, forty, or a hundred years ago. The problem to be solved is what to make of the crofter now. This problem I do not attempt to solve. But, however loath one may be to admit it, I fear that a sentiment uttered by a man in high quarters, and who ought to know, viz., 'That the crofting system is doomed,' is a sentiment, however unwelcome to many, is nevertheless true.

To offer any advice is needless and ungracious, especially when the party to whom the advice is given is predisposed to treat it with indifference, if not with contempt.

In regard to emigration, which appears to many to be the only cure for the overcrowding which admittedly exists among Highland crofters, every man must be left to the freedom of his own will. I have already stated publicly, and have before and since given utterance to the same sentiments in their own hearing, that with all my love and affection and respect for my fellow-countrymen, the peasantry of the Highlands, who, however, I fear, are getting spoilt, I would much rather hear of their being comfortable and happy elsewhere than to see them struggling with adverse circumstances in their own country, constantly fighting with poverty, and often on the brink of starvation.

ROD. MACDONALD.

XXIX.

STATEMENT of REV. ALEXANDER MACKINTOSH, C.C., Dalibrog,
South Uist.

(See Evidence, p. 698 et seq.)

DALIBROG, SOUTH UIST,
September 28, 1883.

XXIX.

Rev. Alex.
Mackintosh,
Dalibrog,
South Uist.

I have held a charge in this district of South Uist for the last three years, and in the fulfilment of my duties have had every opportunity of becoming intimately acquainted with the circumstances of each individual in the district. I consider the smallness of the present holdings the chief cause of the existing state of matters as regards the crofters of South Uist. Owing to the removal of small tenants to make room for large farms or tacks, townships became overcrowded, and the extent of land originally estimated to support one family was made to be depended on by two or more families; and this system of subdivision then introduced has been acted up to for a number of years. How those removals referred to were brought about is already sufficiently well known to your Commission. Of the crofters removed many were, against their wishes, known and expressed, forcibly put on board emigrant vessels and transported to North America. Others, again, were given portions of the lands held by tenants in townships already sufficiently crowded; and thus, by the carrying out of a cruel and shortsighted policy, both the families thus located and those amongst whom they were located were, in the course of a few years, reduced, from a state of comparative comfort to one of privation and distress.

Portions of lands held in common by the tenants of townships for grazing or cropping purposes were, at the time of the said clearances, and have been in subsequent years, let to tenants removed from their holdings to make room for large farms, and to others, while the rent paid by the original tenants remained the same, and remains so to this day. As instances of this I may mention the two townships of Dalibrog and Kilpheder, which have by such means been left practically without any common lands, while no reduction of rent has been made in consideration of the serious curtailing of their lands. The lands of North Lochboisdale, of which the two townships referred to were deprived, were first given to crofters removed from Frobost and elsewhere, and in a few years the rent of each tenant in North Lochboisdale was arbitrarily raised, and is now, and has been for a considerable number of years, excessive. Thus for the lands of North Lochboisdale two rents have for years been paid—one by the present and actual tenants, another by the tenants of Dalibrog and Kilpheder, who have for years been deprived of those lands.

Within the last few years portions of land held in common by the crofters of Dalibrog, Kilpheder, Boisdale, and South Boisdale respectively, and by them reclaimed from moss and bog, were put under crop by order and for the benefit of the proprietor, and subsequently let to the highest bidder, while no abatement of rent or other compensation was made to those so deprived of land.

Even as late as the spring of this year, portions of crofts in the township of

XXIX.

Rev. Alex.
Mackintosh,
Dalibrog,
South Uist.

North Lochboisdale were, without legal warning or the consent of the tenants asked or obtained, put under crop and fenced by the proprietor's servants on behalf of their master. This practice of curtailing and placing tenants on lands without the consent of the tenants paying rent for such lands, or any compensation made, has been carried to a considerable extent in this district, and from its introduction, many years ago, dates the beginning of hardship for the tenants of South Uist.

Our crofters do not so much complain that their rents have been arbitrarily raised—although of this, too, there are not a few instances—as that crofts and common grazings have been very considerably reduced in extent, and additional tenants placed upon them, while the old rents are still being paid, and rent also paid by the new tenants. I am decidedly of opinion, however, that the rent paid for much of the land held by the crofters is excessive, and that some of the land, if held in small portions, would be dear at any rent. It must also be remembered that 'kelp-rents' are in many, if not in most cases, being paid, while no kelp is now being made. The 'kelp rent' was higher than the 'ready-money' rent; and, on the abandonment of kelp making, a reduction should have been made to those paying rent by kelp—a reduction promised by the late Colonel Gordon, as is well known to everyone in Uist.

The want of leases for crofts I regard as a very serious drawback to the small tenants. Not, indeed, that of late wholesale evictions have taken place; but it is beyond question that threats of eviction have been made use of to exact services which could hardly have been exacted from tenants holding leases. Of such services exacted is labour under pain of eviction, and at unremunerative wages, in cultivating lands, and planting and lifting potatoes for the proprietor. I may also mention that threats of eviction have been made use of to compel tenants to renounce their rights to certain portions of their holdings, for which no compensation or abatement of rent was made, and also to compel the owners of dogs to have them shot by the proprietor's servants, while such dogs were necessary to their owners for the protection of their crops from sheep and cattle.

A practice exists, or lately did exist here, of charging any arrears of rent standing against an out-going tenant against the in-coming one—and of this several instances have occurred within my own knowledge.

Another practice, equally unjust, is that of withholding from tenants, clear of all debt to the proprietor, wages earned in working on the estate, even although such tenants be in extremely poor circumstances, or in want of food. This has been done in many instances by the local factor, acting under the instructions of his superior.

To remedy the existing state of matters among our South Uist crofters I consider it necessary—

1. To enlarge the present holdings of the crofters, and to give to each tenant land for grazing and cropping according to his ability and requirements. Small holdings I consider unable to support a family, and consequently dear at any rent or at no rent at all. A range of hill pasture for sheep and cattle I consider absolutely necessary to the crofters, such pasture land to be held by the crofters of each township in common, and under competent management. I am of opinion that there is in Uist land available for and sufficient to meet the requirements of the crofters—lands formerly tenanted by crofters, and now farmed by tacksmen or by the proprietor—farms which need not necessarily exist, and which cannot exist in their present number and extent if the requirements of the crofters get proper consideration.

2. By valuation to fix fair rents, due consideration being given to the inferiority of the soil of the Outer Hebrides as compared with that of other countries.

3. By fixity of tenure or otherwise, to give to each tenant more than a mere rent-payer's interest in and right to the soil.

4. To encourage small tenants to improve their holdings by draining, fencing, and trenching, and to grant compensation for all such improvements made.

5. To give to those among the crofters who are more adapted for fishing than agriculture, holdings in places suitable and convenient for sea-fishing, with lands sufficient to graze two cows and some sheep, and to raise a supply of corn and potatoes. Lochs Eynort and Skipport, on the east side of this island, I consider most suitable for fishing, being safe harbours, and not far from good fishing grounds. Under this head I would direct special attention to the island of Eriskay, with a population of close upon 500 souls mainly devoted to fishing. The land under tillage in Eriskay has become weak and almost useless from yearly cropping, while the supply of peat for fuel must come to an end within the next few years.

The population of South Uist must be looked upon as made up of two classes—those devoted to agriculture, and mainly depending upon land for their livelihood, and those again who may be termed ‘crofter-fishermen.’ While, therefore, the interests of the crofters proper are to be considered, it will, moreover, be necessary to devise means for the development of the fishing industry by providing boats, nets, &c., and bringing, by improved and frequent communication with the mainland, the fishermen of this district within a comparatively easy distance of markets, in which they can get ready sale for all kinds of fish, and at remunerative prices. The want of speedy and direct communication with the southern markets I look upon as having conducted not a little to the present miserable condition of our fishing and crofting population, who found themselves compelled by the force of circumstances to buy dear and sell cheap, and, by a continuance of this, to become heavily indebted to the local merchants who were, in times of scarcity and distress, supplying them with the necessaries of life.

Any scheme having for its object wholesale emigration from these islands, whether such scheme be proposed by Parliament or by the landed proprietors, I would look upon as inimical to the interests of our nation, and contrary to the wishes and feelings of our crofter population. To emigration on the part of individuals who may, of their own free will, choose to emigrate, I do not object; but I am far from having any sympathy with the views of those who, of themselves or through their responsible and paid servants, have mainly if not entirely brought about the present condition of affairs in the Highlands, and who now point out to us wholesale emigration as the only possible remedy. What our crofters wish is, land of sufficient quantity at a fair rent, and with fixity of tenure, and this in their native country. I am decidedly of opinion that there is in Uist sufficient land for more than the present population, and that emigration is not the only remedy for the existing state of matters, if it can be regarded as a remedy at all.

In consequence of evidence given by me before your Commission at Lochboisdale as to the manner in which the religious feelings of the majority of the population of South Uist have been persistently and systematically disregarded in the selection of teachers for our board schools, I have been regarded by some as endeavouring to stir up feelings of religious animosity among our people.

XXIX.

Rev. Alex.
Mackintosh,
Dalibrog,
South Uist.

XXIX.

**Rev. Alex.
Mackintosh,
Dalibrog,
South Uist.**

This charge I emphatically deny. My distinct aim was to direct attention to a clamant injustice which is without a parallel in any other parish in Scotland, and to discharge a duty which I owe to myself, to my position, and to the numerous flock intrusted to my care. Our views as Catholics regarding the necessity of denominational education are well known; and we are surely to be excused if, while we have recognised spiritual guides of our own, we decline to take our views regarding such education from estate officials or others with no stronger claims to our religious guidance.

ALEXANDER MACKINTOSH, C.C.

XXX.

STATEMENT by the Rev. ALEXANDER CAMPBELL, Roman Catholic
Priest of Bornish, South Uist.

(See Evidence, p. 698 et seq.)

XXXA

Rev. Alexander
Campbell,
South Uist.

In accordance with the wish expressed in your circular, received some-time back, I hereby send you a statement of some of the facts which occurred in the island of South Uist relative to the treatment received by the people from the hands of the proprietors (perhaps, speaking more correctly, from the hands of their representatives, the factors). Several changes came under my observation in the island, and I am sorry to say that these changes were not for the best. I am a native of the island, and between sixty-three and sixty-four years of age. I saw a class of comfortable tenants in the farms of Ormilate, Lower and Upper Bornish, Kildonan, Milton, North and South Frobosts. All these tenants were evicted at different periods from their land and sent to America, and the few of them who managed to get a footing in the country, were either removed to some moorland or distributed amongst the other crofters, which, in many cases, necessitated the division of crofts, as well as the allotment into new crofts of the land they held in common—land which they themselves and their ancestors formerly reclaimed from its primitive and wild state. Besides this common land, reclaimed and reduced into a state of cultivation, they had a wide range of hill pasture, of which they were also deprived, with the exception of a small and insignificant portion. On these hill pastures a great many sheep were reared, by means of which the owners were supplied with plenty of wool, which they manufactured into good and comfortable home-spun cloth. Now, having been deprived of this source of comfort, they must have recourse to the merchants for their cloth, or else buy their wool from the tacks-men, which comes to a serious item of expenditure in the household of a poor man with a numerous family. It was not only their sheep stock, but also their yeld cattle, and colts were grazed on the said hilly pasture. It was also the universal custom amongst them to return to the glens with their milch cows during so many weeks in summer, and upon their return home at the end of that period, the grass on the crofts and land in common was so abundant and plentiful that their cattle were well fed. Thus they had plenty of milk, cheese, and butter. But now the case is the reverse; having to keep their cows for the most part of the year on their crofts, the quantity of milk is scarce, and the quality less nutritive. There is another serious complaint amongst the people, which is that the deprivation of the hill pasture and of the land in common caused no abatement of rent; for they are still charged the same amount of rent as they were when they had these in their possession. I remember, likewise, that there was a great deal of barley grain exported from this island, but now since these unfortunate changes alluded to took place, almost every sort of prosperity has declined. The people must depend either upon the proprietor or upon the merchant for the necessary supply of meal. The late proprietors always kept a store of meal in the country, and allowed no one to suffer the pangs of hunger. They received payment for the meal in question in kelp. Now kelp manufacture is discon-

XXX.

Rev. Alexander
Campbell,
South Uist.

tinned, and the usual supply of meal is stopped, which sinks the people deeper and deeper in the debt of the merchants. Upon the whole, I find that the people were attached to the Gordons, but they were absentees, and had in consequence to depend upon their factors for the management of their property. So they lay the blame at the door of these unfeeling factors for the changes of which they complain. And certainly it must be owned that they proved themselves to be anything but favourable to the poor people of South Uist. Such changes for the worse cannot with any degree of truth and justice be attributed to the present proprietrix, Lady G. Cathcart; they took place many years before she got possession of the property. Neither do I think that her ladyship has it in her power at present to remedy the existing state of matters, because these farms I mentioned above as being formerly in possession of the people, are occupied by tacksmen, who, I am sure, are noways disposed to relinquish or to give up their leases. There is no one amongst the inhabitants of Uist who blames her ladyship, and I acknowledge with pleasure her kind and benevolent disposition. I know for certain that she on several occasions went personally to see the sick and infirm, and at the same time liberally administered to their comfort. I am equally aware that in some cases blankets and beds were given to the sick and destitute. These are traits of benevolence in her ladyship's character which I have great pleasure in stating, because I know them to be true, and it is but justice that she should receive credit for her kindness and good actions. The only remedy, in my humble opinion, for this state of affairs in South Uist, is to give the people more land (when such a step is practical), and at the same time to restore to them the hill pasture. If this plan is followed, I am convinced that their former prosperity will return, and that the tenants at the same time can afford to give the present amount of rent paid by the tacksmen. I by no means wish to insinuate that tacksmen should be removed altogether from the country, for such a class of educated and intelligent gentlemen is in a manner necessary to act as justices of the peace, as well as to conduct also the business in connection with the parochial and school boards. But some of these farms are so very large and extensive that they can very well afford to be divided, and at the same time leave a tacksmen plenty to live on in a comfortable manner. Moreover, there are one or two tacks which may be done away with altogether.

ALEXANDER CAMPBELL.

XXXI.

STATEMENT by the Rev. DONALD MACKINTOSH, C.C., Benbecula.

XXXI

*(See Evidence, p. 749 et seq.)*Rev. Donald
Mackintosh,
Benbecula.BENBECULA, SOUTH UIST, LOCHMADDY,
8th October 1883.

I came to South Uist in 1861; I was six years in the Boisdale district, ten years in Iochdar, and for the last six years in Benbecula.

When I came to the country the clearances in 1851, and the emigration, forced in some cases with circumstances of shocking inhumanity, were fresh in the memory of old and young. The measure by which, in or about 1846, several townships in South Uist and Benbecula were despoiled of their hil pendicles was also well remembered, and is well remembered still by the olde people.

In the evidence given by the crofters' delegates before the Royal Commission at Lochboisdale and Benbecula, there was nothing regarding the doings in 1851 and the previous years that I did not hear long ago in every part of the parish from the Sound of Barra to the North Ford. To say, as has been said, that they only repeated the lesson taught them by agitators, means saying that they learned the lesson long years before agitators or a Royal Commission to inquire into their grievances were dreamt of. They did not exaggerate. Indeed, in describing things that happened in those times, to exaggerate would not be easy. In their evidence relative to later grievances they were in all cases within the truth.

Those charged with the estate administration in my time were not to be blamed for the old grievances, nor for such of the later grievances as followed necessarily from the old. They did their best, according to their own ideas, of what was best under the difficult circumstances in which they were placed. There were harsh doings occasionally, specimens of which have been brought under the notice of the Royal Commission. These things were looked on as matters of course; the factor's will was law.

Any attempt at undoing the wrong committed in 1851 and previous years was not thought of. The emptied townships remained empty, returning gradually to a state of nature, and the people were left huddled in congested places.

At length, six years ago, it was announced that the crofter population was to be put on a satisfactory footing. The plan adopted differed from the old crofters' system in this, that what land a man was to have he would have together; there was to be no common. The land was to be surveyed, re-valued, and redistributed. Every man was to have a lot at a fair rent. Leases were to be given. This plan was carried out in Benbecula in 1879-80. Being only three years in operation, it is perhaps too early to draw conclusions, but for one thing the crofts in most cases are too small. The few who have 32 to 40 acres can be comfortable. Most of the crofts are, I should say, under 25 acres. Some are very small, and poor creatures who have but a few acres of bad land cannot in the most favourable seasons rise much

XXXI.

Rev. Donald
Mackintosh,
Benbecula.

above the confines of destitution. The great want, however, is that of hill pasture for change of grass and water for the cattle in summer. The rent is fair; the proprietrix encourages and assists on favourable terms, the building of improved dwellings; a number of neat thatched and not a few slated cottages have sprung up within the last three years. In this respect the appearance of the island is changing very much for the better.

It has been said that the only large farm in Benbecula is nearly double the rent it was in 1836, while the rent of the crofters is less than it was at the same date. It was surely somewhat unfair to compare things so dissimilar, leaving an inference to be drawn unfavourable to the crofters. I suppose the rent of farms is regulated by the market. Prices of sheep and cattle have risen very much, perhaps nearly doubled since 1836. Not so the price of kelp, on which the rent of crofts was based. When the croft system was introduced in the early years of this century, kelp was worth £3 per ton to the crofter, how much to the proprietor I know not. The rent of the croft was paid in kelp. The price of kelp kept falling, until the manufacture of it was interrupted for some years after 1851. Yet its money equivalent when its price was high remained as the rent of the crofts, with few exceptions, till the revaluation in 1879-80. What wonder then if the rent rose in the one case and fell in the other? It has been also asserted that the said farm is less extensive now than in 1836. However that may be, it absorbed the hill pendicles taken from Balvannich and Dunggannach in or about 1846, and seven crofts with their pertinents from the township of Aird in or about 1851. As no one in Benbecula knows of any lands taken from this large farm to balance these acquisitions, how the assertion can be made good is not apparent.

The Catholics of South Uist have a grievance in connection with the education question. It is well known that the overwhelming majority of the inhabitants of the island of South Uist are Catholics. In five of the South Uist Board Schools Catholic children are in a large majority; in the sixth (Eriskey) I do not think there is a single non-Catholic child. Yet we have not succeeded in getting a Catholic teacher into any of the schools. Our legal right is denied, and because we do not acquiesce in the denial, we are accused of stirring up religious animosity; of muddling the water while we have to drink far down the stream. There has been no contested School Board election as yet. We have refrained from bringing on a contest for the sake of peace, which we are after all blamed for disturbing. Our legal disabilities have been removed. Should our social disabilities continue?

DONALD MACKINTOSH, C.C.

XXXII.

EMIGRATION FROM THE LONG ISLAND.

LETTERS of EMIGRANTS from the Property of Lady Gordon-Cathcart in the Long Island.

XXXII.

Letters of
Emigrants
from the
Long Island.

1.—From WILLIAM M'PHERSON, Benbecula Settlement, to his BROTHER.

BENBECULA SETTLEMENT,
NORTH-WEST TERRITORY, 17th June 1883.

DEAR BROTHER,—I know you are longing very much for a letter from me, but I was so very long in getting settled, and I did not like to write till I would be able to give you the address. Dear brother, I trust you are all well in health. I am thankful to say that we are both well and strong after our long journey, thanks be to the Giver of all blessings for his goodness to us. Dear brother, in the first place I will give you a short account of our travelling. We were five days and five nights in the train from Quebec to Winnipeg. We stayed one night at Winnipeg; we were another half day and night between that and Brandon, and we were a whole fortnight at Brandon, while MacDiarmid and John Macdonald were out here looking for the land. Then we came to Wapella. That is the nearest station to here. It is about a hundred miles west from Brandon, and about six or seven miles from here. We did not take the lakes, for they were blocked up with snow, but we got on all the way by the train for the same fare as by taking the lakes.

We took a whole week driving our things from Wapella to here with the oxen, and then we got settled, and we have been busy since ploughing and planting the potatoes. We are done putting out the seeds.

Lachlan and I are ploughing together. We have only one team of oxen between us. We planted twenty-four bushels of potatoes, four bushels of oats, and two bushels of barley, between us. We are going to begin some kind of houses before we plough any more, and when the houses are finished we will begin breaking for next year.

Now I may tell you about the country. It is as beautiful a place as I have ever seen, and I think it is very healthy. It is not a bit hotter than at home. We have plenty of wood and water. We have fine weather, with heavy showers of rain.

Every one of us took oxen, cows, stoves, tents, and provisions from Brandon. I have two cows and two calves of my own. Dear brother, I may say that I am very well pleased with the place. I got enough of trouble before I got here, and I have plenty of work to do this year; but for all that, if God spare me my health, I don't mean to be the least sorry for coming here, unless something wrong comes in my way. I know I will be a great deal better here in a few years than at home.

Dear brother, I am very sorry indeed that you have not all come out with me. If you, and Donald, and Morag had come, we would have got three homesteads, and by taking one pre-emption we would have a whole section to ourselves; we would be settled together, and would be as happy as the day is

XXXII.
Letters of
Emigrants
from the
Long Island.

long. Two of us would do all the work, or I should should say one of us and Morag would do, and the other two at work, and in a short time we would be very well off.

Dear brother, it makes my heart sore to think the way you two are working at home, and having so little thanks or comfort for it, when we might have been here very well and happy if you had come.

Dear brother, I hope you will write soon, for I cannot tell you how we two are longing to hear how matters are with you. Be sure to write and tell us all, for it seems to us as long as ages to be so long without hearing from you. I hope Mary is better and at home with you before now. I know you have enough to do and to look after just now when Donald is away, but I think he will be at home before you get this.

The two of us send our dear love to you, dear brothers and sister, not forgetting Morag Veag and any other inquiring friends. Write soon. With love to you all.—Your loving brother,

WILLIAM M'PHERSON.

P.S.—You may tell Mr M'Fadyen when you see him that I saw his brother-in-law when we were at Brandon. He is in good health and very well off. He got land five miles out of Brandon. John Ferguson from South Uist came out here last week. He is expecting to get the other half of our section.

Tell me how the crops are looking. We have fine briard on what we sowed four days ago. The only thing we miss most from here is the church. There is no church at all here, but a missionary holds a meeting every second Sunday. There was nobody here when we came except two or three English settlers, but in another year I think it would be very hard to get even one half section.

Dear brother, I hope you will write soon. With kindest love from us both to you all, dear brothers and sister.

W. M'P.

2.—From MARION M'PHERSON to MORAG VEAG.

MY DEAR MARION,—I was expecting to write to you many a time since I left, but I have not had much time for writing; besides, I know you were hearing everything from the letters we were sending home. Dear Marion, I don't need to give you the news of this country, as Norman will tell you all I have to say just now. William is always wishing that your mother and all of you were here, for you would get on far better than at home. Dear Marion, I hope you will write to me soon with all your news. This is a short letter, but the next one will be longer. I hope that Miss Ashley is still as kind to you as before. Tell me if you are hearing from Mrs Hadden, or how she is getting on. Give our kind love to your dear mother and family, to Mr and Mrs M'Rae and family, not forgetting yourself and Morag. Dear Marion, we miss you all very much indeed, but if God spares us all, perhaps we will see each other yet. Excuse this bad scribble, for I am in an awful hurry. Love to you, dear, from us both.—Yours truly,

MARION M'PHERSON.

3.—FROM ALEXANDER M'PHERSON, Pipston, Wapella, to Mr Fyffe.

XXXII.

PIPSTON, WAPELLA, 2nd July 1883.

Letters of
Emigrants
from the
Long Island

Mr Fyffe,

DEAR SIR,—I am going to enclose these lines to you, in order to let you know that I and Mrs M'Pherson and son, and all the rest of our party, are enjoying good health at present, as I wish that this may find you and family in the same state.

Now, in the first place, I have to tell you that we got a very good passage coming across the Atlantic. We were fifteen days in the boat coming across. We arrived at Quebec on 3rd May at 10 o'clock A.M., and proceeded on our far west journey at 5 o'clock the same day. We were in the train for five days and nights without an hour's rest until we arrived at Winnipeg on the 9th May, after having come 2000 miles by rail, and, believe me, we were quite tired of it. We stayed only a day at Winnipeg, and then we started west to another town, 132 miles distant, called Brandon. We stayed in that town twelve days, while the chief land surveyor and some of our party were away looking for good land for us. While they were away I bought my implements,—one pair of oxen at 200 dollars (4s. 2d. to a dollar); one cow, 75 dollars; one waggon, 75 dollars; one plough and harrow, 38 dollars; stove, with all its furniture, 30 dollars. Provisions and groceries are dear here, and it is no wonder, this is only a new country just started.

I have to tell you that we are well pleased with our land. We have got plenty of good land, very good water, any amount of timber; also we are not under bondage to any man, as we have been in Benbecula.

I have also to tell you that I sowed twelve bushels of potatoes, four bushels of barley, half a bushel of white beans, carrots, onions, and turnips, and to look at them after coming up is a glory you would not believe, and we are thinking ourselves happy that we left Benbecula in time. I pity poor people that are labouring in the old country for merely nothing, when they could make a very good living here even with a day's wages, although they were not able to get implements for their land at the first start. But the most of the poor people would not be able to come here even although they were willing, the road is so long and the expenses heavy. We will be praising Lady Gordon Cathcart for ever for her kindness to us in applying to the Canadian Pacific Railway Company and to the Government for us, and also for the good assistance we got from her. But we had great trouble in getting the money after coming here. Things were dearer to us owing to the way we got it. All the money was sent to the Government agent in one lump to get implements for us with it, and the way it was paid away was 'You go out and buy, and I will pay the bill.' Now when you have no money in hand things are dearer. But that was not her fault.

Now, dear sir, I hope that you will let me know all the news of the place. How are you all coming on since we left? Let me know how my father and family are doing. Donald Macdonald is present, and sends his kind regards to you and Mrs Fyffe and family, also to Miss Kerr. He is to write to you and to Miss Kerr shortly.

You may tell John, my brother, if he is intending to come here this year, I will be well pleased. But he will get no land nearer to me than a mile and a half, and if that will be too far away, I will give him the size of his father's croft for ever for nothing, and I am sure that is more than what his father could do.

The cause of my delay in writing to you and to others was because I did not know the address till lately, and at that time I was in a hurry ploughing.

Tell John, my brother, if he intends coming this year to write me, so that

XXXII.
Letters of
Emigrants
from the
Long Island.

I can make some preparation for him. You will give my love to Michael Macaulay and to the tailor, and to all inquirers, also to my father and brothers. Mrs M'Pherson and myself join in sending you and family our kindest love.

My address is—Cnoc na Monic Farm, Pipeston Creek, Benbecula Settlement, Wapella, North-West Territory, North America.

It is called after my father's farm. Good-bye. I remain, yours ever truly,

ALEXANDER M'PHERSON.

4.—From JOHN M'DONALD, Benbecula Settlement.

BENBECULA SETTLEMENT, WAPELLA STATION, C.P.R.,
N.W. TERRITORY, 7th July 1883.

DEAR SIR,—As I promised to let you know about this new country, I will send you this short note. I have to inform you that we are in good health, hoping this will find all friends enjoying the same blessings. You can understand that we was too late for tillage this season. We left Glasgow on the 19th April; fourteen days on the ocean passage, five days by rail from Quebec to Winnipeg, one day in Winnipeg, ten days in Brandon; we take another between the said villages and Wapella, and three days driving our luggage. The time ran to 27th of May before we commence to plant the potatoes, but the small portion of crops we plants is doing well. They promised us before we left that they appoint agent to select lands for our party. If the land was selected for us we was in good time for cultivation; but, in one way, no man is able to select land for another but the very man himself.

I understand that the land we had is very good,—it is suitable for corn-growing and stock-raising,—and also we have good bluffs of timber, but not much for use except fire and fencing. Many farmers here have to drive fire-wood for the distance of five to ten miles. We are getting tired gathering good logs for a house not more than half a mile of distance. The summer here is very pleasant—not so warm as we expect. We call it fine weather in the old country, but we don't use any flannel or drawers. But you will feel the weather warmer in the tents, and also, I believe, the winter is not so severe as they say.

About this country, you are not able to understand the beauty of the soil—**all** covered with long grass and every sort of flowers. Small ponds are very numerous, surrounded with long grass or small trees. Dogs of every description are very very abundant, the same as the dogs I left behind me. Any amount of rapits (rabbits), prairie hens—same as grouse, but a size larger—partridges, plovers, geese, cranes—and they are very large, and some elks—and they are as large as a cow, and saw some black bear. No game-law in this country; but we are busy, and not able to spend much time in sport till we get up our houses, but if I will spend a day, I will find enough to keep the pot going. I and M'Diarmid was yesterday driving timber, and I stating if we was at Benbecula market with our wagon and oxen that we would have more attendance then any whisky tent in the market.

I believe you heard about the death of my Mary before. Everything must have his own end. Give my respects to unkle's family. Christy asks you to send your cards.

I must come to conclusion, and you must excuse hurry and errors. Write

as soon as you will find this, and I will answer any inquiry afterwards. Give our regards to Mr M'Kay's family, and tell John that I was willing to write him before this, but he must excuse me. I will be looking for his letter. —I am, yours truly,

JOHN M'DONALD.

XXXII.
Letters of
Emigrants
from the
Long Island.

5.—COPY LETTER from L. M'PHERSON, Benbecula Emigrant, to C. CAMERON, Craegairry Farm, Benbecula.

Verbatim.

BENBECULA SETTLEMENT,
NORTH-WEST TERRITORY, August 11th, 1883.

DEAR MR CAMERON,—You must excuse me for being so long in writing you, but I was waiting till I would be able to tell you the news of the country. In the first place, I am happy to say that I am well in health, and all my family and every one of my friends here, trusting to find you and all friends in like manner. I may tell you I am very well pleased with this place yet ; as far as I can see, it is a real good country. Everything bad that we were hearing before we left was all lies. You haven't heard a single true word about it. The summer was not any hotter than at home. If the winter will be as favourable as the summer, we will be very lively. The weather was awfully fine all the time since we came. I haven't seen a single rainy day since we left the old country, but there is heavy showers some days. The crop is looking awful good. I haven't seen better looking corn and potatoes in my life. We are lifting the potatoes ; they were only eight weeks in the ground, and they are as big as I have seen in the old country two months after this, and as good. You won't believe the crop and the grass that is here, when you don't see it, but you may believe that I am telling the truth. I have some grass from three to five feet high for cutting, and there is good grass in every bit of it ; it is the place for stock. I am done cutting the grass for winter. I have three stooks made ; they are as big as any you ever had. There is no trouble whatever in the grass here. We have only to cut it, and to put it in the stook the day after ; it needs no drying, because the weather is always dry. I have plenty of firewood and of water quite near hand ; there is firewood and water in every place here about, and plenty of land for tillage. I haven't seen the least thing to frighten me since I came, not even as much as an Indian. There is no wild beast here. The moskittes was pretty bad last month, but not much worse than the mitches when they are bad at home. I have seen no other bad flies. The nearest railway station is six miles from me, but as the people is flocking out here every week, I think the train will be coming nearer than that soon ; likely this place will be full in another year. When we came there was not a single house to be seen far or near, and I could scarcely count them to-day. They are coming up from Ontario and all these places. I am sorry that my brothers hath not come with me, specially John and Malcolm, but I hope if anybody will come, they will come. They would do better here in one year than three at home. You will ask them if they would let me know if they would like to come ; and you will tell me true what they will say when you will

XXXII.
Letters of
Emigrants
from the
Long Island.

write. You know that I would not ask them to come if I would think that they would do better at home. Give my kindest love to all friends and inquirers. Tell me if the Commissioners did any good. I read Mr Roderick's speech in paper; I liked very well.—Your truly friend,

LACHLAN M'PHERSON.

Address—

Lachlan M'Pherson,
Benbecula Settlement,
North-West Territory,
Wapella Station,
North America.

P.S.—I am sending you this for to see the money that is here.

6.—COPY OF LETTER from JOHN M'CORMICK, Benbecula Emigrant, to SALINA M'DONALD, Benbecula.

Verbatim.

WAPELLA STATION, August 20th, 1883.

SALINA MACDONALD,—In these few lines I took the opportunity of writing you to let you know I got your letter on 10th of August, in which I was very sorry to hear of your dear sister Marion. My mother was sick hearted when she heard of it, but glad that the rest of the family are all well in health; the whole of our family are enjoying the same state of health since we came to this country. I must now state down so as to let you know some things about this country. According to my experience, I cannot see nor hear nothing that would keep back men that would be willing to come if they were able to come. We have the best climate that can be found, and healthy since I came, what we saw of the spring and all summer and autumn too. It is twice better than the climate we left after us; the summer is dry every day, but I don't give any account of the winter yet, but I know that the men here will no be a day absent from work through the winter. There was three thousand persons working at the railway company last winter and not a day absent. I will get work here through the winter myself too, and I expect to live only eight miles from home. My wages is different wages; some days 9s. 6d., some days 7s., but the main figure is 6s. a day, working only eight hours a day, some days five hours, and some days nine. There is no broken time; although I woulden work but one hour I would get my day. Girl's wages is pretty well too, from three to four pound a month, and board, but land is the most best of all, it is far more profitable; but I woulden want an empty family to come; they should require to have £100 arriving in Winnipeg for their farm implements and house furniture. Ourselves are well pleased for our journey here. We are doing improvement on the land; we have 16 acres ploughed ready for next year. We have 400 and 80 acres of the best land in the world. Our crop is looking splendid. We got up the winter home and stable for our cattle, but we expect to make a better house next summer if will be spared and well. Will have not to plough in the spring time, nothing but to sow it and harrow it; no

trouble in the world about it, no manure nor any else. We are expecting Mr Ranald Macdonald soon. Now I must conclude this. With all our best respects to you and to all the family,—I remain yours truly,

JOHN MACDONALD.

XXXII.
—
Letters of
Emigrants
from the
Long Island.

7.—Copies of Letters from LACHLAN M'PHERSON to his BROTHER
and Mr CAMERON.

NORTH-WEST TERRITORY, MANITOBA,
24th August 1883.

DEAR BROTHER.—I have to mention you here in my letter that my family are in good health and arrived here safe. Now I hope you are in the same state of health too. Now I have to let you know that this place is the best place I ever saw for a farmer, and for labour too. But the thing of it to get to this place, freight is very dear, and implements either. Any family that ventures to this place must have a hundred pounds. Any strong family that would come here would be very happy. In a couple of years, 1883, with wages and labour. Wages is very high 8s. to 9s. a day, some labourers have 12s. Nothing is better than land. I would advise on every man in Uist to come to this place if they would possibly enough to come. I believe that you are very scarce of the fodder this year, and all the neighbours they are doing no use of the fodder here at all, but putting fire to it when it is mown, and the fruit taken off. All use growing grass in the winter time. But I hope that this distance is very long between this and Uist near 400,000 miles. Widow Nicholson if she would be here with her daughters, she would be as happy as the king. There is great desires for women here. No more to say at present, but my best respects to you and all acquaintances round. I and William M'Pherson are in share with each other in the oxen wagon and all. I bought a cow. John M'Donald, daughter died, little Mary. Best respects to all and to Neil Monk; best respects to Rod. M'Pherson, James M'Donald, Norman M'Donald.

LACHLAN M'PHERSON.

BENBECULA SETTLEMENT, NORTH-WEST TERRITORY,
1st August 1883.

DEAR MR CAMERON,—You must excuse me for being so long of writing to you, but I am waiting till I would be able to tell you the news of the country. In the first place, I am happy to say that I am well in health and all my family, and every one of my friends here, trusting to find you and all friends in like manner. I may tell you that I am very well pleased with this place yet; as far as I can see, it is a real good country, everything bad that we were hearing before we left was all lies. You haven't heard a single true word about it; the summer was not hotter than at home. If the winter will be as favourable as summer, we will be very lucky, the weather was awfully fine all the time since we came. I haven't seen a single rainy day since I left the old country, but there is heavy showers some days, the crops is looking awfully good, I haven't seen better looking corn and potatoes in my life. We are lifting the potatoes, they were only eight weeks in the ground, and they are as big as I have seen in the old country two months after this and as good. You won't

XXXII.
Letters of
Emigrants
from the
Long Island.

believe the crop and the grass that is here when you don't see it, but you may believe that I am telling you the truth. I have some grass from 3 to 5 feet high for cutting, and there is good grass in every bit of it. It is the place for stock and not Creagory. I am done cutting the grass for winter. I have three stacks made, they are as big as any you ever had. There is no trouble whatever in the grass here, we have only to cut it and to put it in the stack the day after, it needs no drying because the weather is always dry. I have plenty of firewood and of water quite near hand. There is firewood and water in every place hereabout, and plenty of lands for tillage. I haven't seen the least thing to frighten me since I came, not even so much as an Indian; there is no wild beast to be seen anywhere here. The muskettoes was pretty bad last month, but not much worse than the midges when they are bad at home. I have seen no other bad flies. The nearest railway station to here is six miles from me, but as the people is flocking out here every week, I think the train will be coming nearer than that soon likely. This place will be full in another year. When we came there was not a single house to be seen far or near, and I could scarcely count them to-day; they are coming up from Ontario and all these places. I am sorry my brothers have not come with me, especially John or Malcolm, but I hope if anybody will come that they will come. They would do better here in one year than three at home. They will ask them if they would like to come, and you will let me know what they will say when you will write. You know that I would not ask them to come, I won't think they would do better at home. I heard that Mr Ranald Macdonald was on the way coming here. I don't know if it is true as for what he would be coming. Tell me if the Commission did any good to the place. You will excuse bad writing.—Your truly friend,

LACHLAN M'PHERSON.

N.B.—Here is a sample of our current coin in this country, and drink my health for auld lang syne.

(This was a note for 25 cents.)

8.—REPORTS on the Crops grown in North-West Canada, by Emigrants from the Long Island.

DOMINION GOVERNMENT IMMIGRATION DEPARTMENT,
BRANDON, MANITOBA, December 5th, 1883.

DEAR SIR,—I have great pleasure in forwarding to you a copy of report of the crops grown this year by the Lady Gordon Cathcart's colonists of the Benbecula settlement near Wapella, in the North-West territories of the Dominion of Canada. The original of which remains in the hands of Mr Donald Macdiarmid, and I am sure it will be read with much satisfaction by Lady Gordon Cathcart and yourself, and will, no doubt, give great encouragement to others of her people who are still at home in Scotland and the Scottish Isles, to come to this country, and make their future home's on the rich prairie lands of the North-West Provinces of the Dominion of Canada,—I am, Dear Sir, very truly yours,

THOMAS BENNETT,
Dominion Immigration Agent.

W. P. Edwards, Esq.,
Edinburgh, Scotland

October 27th, 1882.

XXXII.

DEAR SIR,—I have every satisfaction in sending a copy of the report of the Lady Gordon Cathcart settlers, at Pipestone Creek near Wapella to you, and hope that friends and neighbours in the old country will reap the benefit of our report of this country in a few years. I am happy to say that the said party are well satisfied in this new country, and also that my reports in 1880, are now strongly supported by my own countrymen. Friends at home will now see that my object in wishing them to come to this country is just for their own benefit,—I am, Dear Sir, yours very truly,

Letters of
Emigrants
from the
Long Island

DONALD MACDIARMID.

THOMAS BENNETT, Esq.,
Dominion Immigration Agent.

9.—REPORT of DONALD MACDIARMID, showing the Average Production of Crops for 1883, in the Benbecula Settlement near Wapella, North-West Territory.

There is very little trouble in raising crops in this country. Have had none so far as my own personal experience goes. I have every confidence in recommending this country to intending emigrants from the West Highlands of Scotland, and all parts of the old country. The climate is very healthy, far beyond the climate of Scotland.

There is land here for the landless, and homes for the homeless, beautiful land of the setting sun.

Sect. 34, T. 13, R. 1, W. 2nd, P. M.

Potatoes, per acre	300 bushels,	planted May 28th	on the breaking.
Barley, "	32 bushels,	sown as late as June 28th	on the breaking.
Oats, "	40 "	"	"
Turnips, "	300 "	"	"

DONALD MACDIARMID.

10.—REPORT of JOHN MACDONALD.

I am very well satisfied with my location, and wish that all my friends and neighbours had as good a footing as I have here. The longer I am here the better I like it. The climate is healthy, and the land good.

Sect. 4, T. 14, R. 1, W. 2nd, P. M.

Potatoes, per acre,	350 bushels,	planted June 1st	on the breaking.
Barley, "	40 "	sown as late as June 28,	on the breaking.
Oats, "	50 "	"	"
Turnips, "	300 "	"	"

DONALD MACDIARMID.

XXXII.

Letters of
Emigrants
from the
Long Island.

11.—REPORT of ALEXANDER MACDONALD.

I am very well pleased with my farm, also with the climate, and very thankful that I left the poor old country. I am advising my friends at home to come as soon as possible to this beautiful land of the North-West.

Sect. 10, T. 14, R. 1.

Potatoes, per acre, 200 bushels, planted in June.

Oats, " 56 " sown "

Carrots and Onions very good.

ALEXANDER MACDONALD.

12.—REPORT of ALEXANDER MACPHERSON.

I am very well satisfied with my farm, and also greatly delighted with all I have seen of the country. It is delightful in every respect, the soil is rich, black loam lying on top of clay and lime subsoil. Plenty of good water and timber, and I wish that all my friends were here.

Sec. 2, T. 14, R. 1.

Potatoes, per acre, 360 bushels, planted in June.

Oats, " 40 " sown "

Carrots and onions very good.

ALEXANDER MACPHERSON.

13.—REPORT of WILLIAM MACPHERSON.

I am very glad I left Uist, and beg to thank all those that took any interest in taking the responsibility of getting us to this country. I have 160 acres of very choice land for the small sum of ten dollars, and now I would not take two thousand dollars for it.

Sect. 12, T. 14, R. 1.

Potatoes, per acre, 200 bushels, planted in June.

Barley, " 40 " sown "

Oats, " 40 " " "

WILLIAM MACPHERSON.

14.—REPORT of LACHLAN MACPHERSON.

I am very well satisfied with my farm in every respect, also with the climate so far. We never saw weather at home like this, and my earnest wish is, that

all my friends and neighbours in Uist were here in this beautiful farming country. The work is very easily done, no manure required, such as in Lineclate.

XXXII.
—
Letters of
Emigrants
from the
Long Islay

Sect. 12, T. 14, R. 1.
Potatoes, per acre, 200 bushels, planted in June.
Barley, " 40 " sown "
Oats, " 40 " " "

LACHLAN MACPHERSON.

15.—REPORT of DONALD MACDONALD.

I am well pleased with my farm in every respect, and have every confidence in recommending this country to my friends at home. I hope they will make up their minds to come as soon as possible, the sooner the better. The longer I am here the better I like it. The climate is healthy, the weather very good, and there is no constable or grouting officer. Make no delay in coming.

Sect. 6, T. 14, R. 33, W. 1st, M.
Potatoes, per acre, 150 bushels, planted in June (very careless).
Oats, " 35 " sown "

DONALD MACDONALD, Esq.

16.—REPORT of RODERICK MACDONALD.

I am very well satisfied with my farm, and I would not go back to Uist although I would get £400 sterling, and all the property I left. I hope more of my friends at home will come as soon as possible.

Sect. 32, T. 13, R. 33, W. 1st, P. M.
Potatoes, per acre, 350 bushels, planted in June.
Barley, " 28 " sown "
Oats, " 40 " " "

RODERICK MACDONALD.

17.—REPORT of ANGUS MACCORMIC.

I am very glad for my change from the old Benbecula to the new Benbecula, in this beautiful far west country, of which we did not know anything until now. The only thing I feel sorry for is that I did not come here in my younger days, but, however, I feel glad to see some of my family in this good country, and hope the rest of them will soon come along with all my friends and neighbours. The climate is good and healthy, and the land is to any man's satisfaction.

Sect. 2, T. 14, R. 1, W. 2nd, P. M.
Potatoes, per acre, 200 bushels, planted in June.
Barley, " 40 " sown "
Oats, " 40 " " "

ANGUS MACCORMIC.

XXXIII

XXXIII. STATEMENT by the Rev. JOHN A. MACRAE, Minister of North Uist.

Rev. John A.
Macrae, North
Uist.

(See Evidence, p. 785 et seq.)

NORTH UIST, 31st July 1883.

I am of the decided opinion that if the crofters' holdings were extended they would be in a position to support themselves and their families in an easier manner than they are now capable of doing according to the present division of the land, and more particularly if leases were granted to them of ten or twelve years, on certain conditions of improving the land by way of draining and making enclosures, which I feel confident would induce the crofters to improve their holdings, and consequently their own circumstances; for it stands to reason, that land cultivated year after year does not yield the same quantity or quality of crop that it would do by bringing it into cultivation by a regular system of rotation.

I would also suggest that the pendicles or hill grazings that were attached to several of crofters' farms should be restored to them, of which they were deprived many years ago. I may mention some of these hill grazings which were held at one time by some of the townships in my own immediate neighbourhood, viz., Loch Eport side was equally divided between the farms of Knockline, Balemore, and Knockintorran; the hill of Birenal belonged to the farm of Houghary; the hill of Langash to the farms of Tigheary, and Hosta Sponish (Loch Eport) to the farm of Baldoch; Breanish to the farm of Balmartin; Cainish to the farm of Baldone; and Arighochdan to the farm of Scolpeg. All these hill grazings have been added to sheep farms; and I hold that, by restoring these several hill grazings to the crofters' farms I have mentioned, would not only prove to be a great boon to the poor crofters, in so far as it would enable them to keep more stock, particularly sheep and young cattle, but it would also put them in an independent position to maintain themselves and their families in the event of a failure of their crops.

Another system that has been largely countenanced by Highland proprietors is the letting of farms to non-resident tenants, from which great evils have arisen, and that consists of good farm-houses now occupied by uncultivated menials, instead of gentlemen and their families, who possessed these farms at one time, and who were not only an acquisition to society, but a great credit to the country at large.

JOHN A. MACRAE.

XXIV.

STATEMENT of Rev. ANGUS MACIVER, Uig Manse, Stornoway.

XXXIV.

*(See Evidence, p. 875 et seq.)*Rev. Angus
Maciver, UigUIG MANSE, STORNOWAY,
11th May 1882.

As a native of Lewis, and for the most part resident on the island, and taking a deep interest in the welfare of the people, I beg respectfully to submit some of the views I entertain as to the state of matters here, and the reforms necessary for the consideration of the Royal Commissioners. I am intimately acquainted with every part of the island, know a very large proportion of the people, their habits, and ways of thinking, and have a very good idea of their circumstances in general, besides having a very extensive knowledge of the Highlands and Islands, and a residence of nine months in Canada, travelling westward some 1200 miles, and living for the most part in the houses of Highland settlers. I mention these facts simply to let the Commissioners know that I cannot at any rate plead ignorance, or that I had not advantages and means for making up my mind in some way as to the question which now occupies the mind of the Commissioners, and on which Parliament, I hope, will soon legislate.

It is evident to any one who knows the real state of the Highland crofters that the Commission has not been appointed a day too soon. In many places matters have been getting into a dangerous state. This, I should think, will be pretty apparent to the Commissioners before they are through their work. On coming to this island a few things will strike the Commissioners at once, as, for instance, the poverty of the soil, the large population, the wretchedness of their dwelling-places, and to account for the fact of their remaining and living in such circumstances. The fact, however, is undoubted that things are, in many respects, becoming worse and worse with the people, and at the present rate are bound to come to a crisis at no distant day, unless some remedy is devised for averting it. The primary causes for the present state of things are the state of the land laws, too many of the people crowding into narrow and poor parts of the land, the want of tenure of the land, the want of interest in the people on the part of proprietors, and the want of education. The people naturally and morally are capable of becoming one of the finest class to be met with anywhere.

Take, for example, the people of this island, and before they can be made anything like comfortable as crofters they will require every inch of land on the estate at very moderate rents. They have sunk so low as to material resources and comforts, and in the independence of mind that ought to characterise them, that it will take some time to raise them to the true ideal of manhood. They have been living hitherto on the borders of starvation, and absolute dependents on the will of others. I hold that the people had no hand in bringing themselves to this state. They have been helpless all along. Fifty or forty years ago they were quite comfortable and able to live well, but now they find it very difficult to make a bare living. The population has increased enormously for the last forty years, and instead of the proprietor

XXXIV.

Rev. Angus
Maciver, Uig

seeing to the comfort of these people by giving them more lands, they have just been deprived of them in proportion to the increase, and these made into sheep farms and deer forests. The result now is a congestion of population in the various districts where they reside. And, unless a very decided change takes place soon, a chronic state of destitution will be the consequence. The small patches of land the people occupy are divided and subdivided, so that there are very few of the original lots but are now in this condition. Both the proprietor and crofters have been at fault in this. The crofter would naturally permit his son to build a house on his lot, as he was powerless to do anything else for him, and hence the reason on his side for the subdivision. All the son's hard earnings up to the time of marriage went to support his father's family, to pay the rents, &c. He could not lay by any of his earnings to start for himself anywhere else. There is no use saying, Why would not these sons shift for themselves, and leave the father on the lot? One of the reasons is because the son sees it would be unfair to leave his father in old age to struggle with poverty and inability to pay his way after he had done so much for him. The obligation is strong on both sides. I believe this operates powerfully with the poor people here. Although they are poor, they have a sense of honour, and wish to perform their respective duties to one another as far as they can. Poverty and a sense of dependence on one another have been, I believe, the main reason, though not the exclusive one, for the great increase of population in this island. Other reasons are the isolated position of the island and hitherto the want of the English language. Perhaps there is no other part of the Highlands where Gaelic is so universally spoken. These, as far as I can make out, are the principal reasons for the present unfortunate position of matters.

I maintain that there are plenty of lands in Lewis to make the present crofters and squatters, as they are called, comfortable, provided they get them all on easy terms; but not otherwise. I mean, of course, what there is of arable land and grazings. My decided opinion is that they should all have lots ranging from £5 to £7. The lands are so poor that the lots must be adapted to the circumstances of the people and the nature of the soil and climate. They should have what would afford them some comfort and leave them independent of others. It is quite evident that there is no other class of people who can make the same use of the soil as the natives themselves, if they are properly encouraged. And I say further, with the greatest confidence, that, poor though the island be, under a good land law there will be found in another generation a perfectly comfortable and respectable class of crofters in this island as will be found anywhere in Britain. They are naturally shrewd and intelligent, and their moral character stands high. Some people say, supposing they got the lands, the same state of things would recur by and by, and the danger would necessarily be increased when there was no outlet for the surplus population. My answer to this is twofold. First, any new legislation on the subject would need to provide against subdivision of lots; but, secondly, I maintain, although there was no such provision, that the young people will, in a very short time, begin to move off to other and better parts of the world. If the Education Act is worked properly, the rising generation will have their eyes opened to see that there are better places in the world to live in than these, and they will spontaneously move off to other countries. While my convictions are thus very strong and decided as to the influence of education on the rising generation, I have equally strong opinions as to the necessity at the same time of encouraging and strengthening them for free and

voluntary emigration. Education of itself will not effect the needed reform. There must be means for enabling them to carry out their wishes and intentions. Parents and children having the means at command will see the necessity and utility of doing as is done in other parts of the world. Combine education and material comfort, and it solves any difficulty that may now exist or may be supposed to exist hereafter. Highlanders, as you all know, have force of character that will enable them to make their way anywhere, provided they get equal chances with others. In illustration and proof of the soundness of the view I now express on this subject, I may mention to the Commissioners that I taught a school in my present parish upwards of twenty years ago. The children were well grounded in the principles of education. I find on coming back to the parish a few years ago that there were very few of them to be met with here now; the most of these boys are away to other parts of the world, and some of them making fortunes. When I inquire how they managed to get away, I find that they have been almost all taken in hand by some one, and those who were not have settled down as crofters and fishermen. I mention this fact to show that education of itself is ineffectual.

XXXIV.

Rev. Angus
Maciver, Uig.

I always recommend to as many as can emigrate to do so, for the circumstances of the colonists are far beyond anything that can be met with among crofters in the Western Highlands. There is no comparison between them in any respect. Many of those colonists who are now in comfortable circumstances suffered great hardships after arriving in America, and I have no doubt, from the accounts given to me by many of themselves, that a number of those who were sent away died from sheer want. The hardships encountered by those who left the country have had a great deal to do with discouraging those who remained behind from attempting to follow them. As far as I can make out, it is quite hopeless to think of getting these people to emigrate at this stage, and it would be very wrong to bring any pressure to bear upon them for that end. They cannot afford it on account of their poverty and destitution, and one would incur a serious responsibility who would attempt it in the present condition of the people. Let the best that can be done for them in their native land be done in the first instance, and when all the means at the disposal of the country are exhausted, it will be time enough then to try the expedient of sending them to other lands. In the meantime, I cannot see that there is any necessity for attempting anything of the kind. Let there be a proper and equitable distribution of the land, and the social position of the people will come all right.

If the people of this island are to have any benefit from legislation about the lands, it is out of the question to think that they can afford to give the present rents for them. I understand the rents have been doubled for the last forty years by reason of sports and other causes which may readily occur to the Commissioners. What reduction there should be is not for me at present to say, as the Commissioners will see for themselves the nature of the soil and the state of the country. They will not traverse any part of the Highlands so poor as the most of it.

A most important part of any reform that is to be effected in this island must have reference to the dwelling-places of the people, and it has been hitherto surrounded by many difficulties, as, for instance, the want of leases or proper hold of the land, the fear of being evicted from their houses, the want of timber and material for building better ones. Within sight of where I am writing, the poor people, forty years ago, built at their own expense and by their own labour, houses according to plans and specifications drawn

XXXIV.
 Rev. Angus
 Maciver, Uig.

out by order of the proprietor and immediately after they were finished, they were sent away to Canada without getting any compensation. While they were endeavouring to carry out these plans and specifications, they supported themselves and families on shell-fish. Dealings with the people, such as I now describe, have militated very much against any improvements that might have been effected in this direction. They have not been encouraged, but I should rather say discouraged. I know in the case of my own parishioners that they are sensible of the backward way in which they stand in this respect, and many of them have improved their houses lately, and I know that they are all anxious to have them in a better state. At the present rate of progress, however, it will take generations to see them anything like what they ought to be. Some means must be adopted to bring about a decided reform as to houses in Lewis; for as matters stand now, they are simply actionable on the grounds of sanitary law.

There is a notion prevalent with some, viz., that the people, or at least many of them, should become exclusively fishermen, and that this would leave them better off than they are at present. I wish very strongly to impress upon the Commissioners the folly of this view, and the danger of entertaining it. The herring fishing is carried on for two months of the year on the east side of the island. During the remainder of the year the native population prosecute the ling fishing exclusively. I should also mention that for two or three months in the year they go as hired men to the east coast herring fishing. The principal fishing in Lewis, however, is the ling fishing. It is plentiful around the island in winter and spring, but the sea is so rough and boisterous that they can very seldom get out, and they are considered the boldest and best of fishermen. They will stand out to sea when east coast fishermen, with better crafts, will make for the land. This year they have been anxiously waiting to get to sea, and for seven months they have been unable to do anything. During the most of that time the east coast fishermen have been able to prosecute the fishing. The sea around Lewis and the fishing ground are quite different from those on the east coast. The fishing can never be much more than merely a help to the people. They won't live by it alone. Besides the distance from the market will always leave the people at a disadvantage. Good harbours are much needed in different parts of the island.

In case I may not have an opportunity of meeting with the Commissioners when they come to the island, I wish to lay before them the foregoing statement of my views on the subject. I have no doubt the Commissioners have long ere now thought over all the points bearing on the settlement of the question in general; but as their duty now calls them to hear all that may be said on the subject, I trust you will excuse the length of this letter. And if there should be anything in it that may be of help to the poor people, and to facilitate your investigations, I shall be much pleased.

As to the mere details of grievances, the crofters themselves will give you plenty of them in the various districts of the island through which you will pass.

ANGUS MACIVER.

P.S.—I read the foregoing statement to a committee of crofters here, and they agree with the views expressed.

A. MACIVER.

XXXV.

STATEMENT by the Rev. MALCOLM M'RITCHIE, Free Church
Minister, Knock, Stornoway.

XXXV.

Rev. Malcolm
M'Ritchie,
Knock.

(See Evidence, pp. 875 and 1023 et seq.)

August 1883.

Having been from home in ill health when your Honourable Commission appeared in the Island of Lewis, and thus unable to appear personally before you to give my estimate of the present state of Lewis, as compared with what I have known it to be, from a recollection of now close upon seventy years—having been born in Lewis in the year 1803, and since intimately acquainted with every part of it,—will your Lordship kindly allow me to submit the following statement bearing upon the condition of the island as a whole, as contrasted with what existed within my own memory; and also a more particular statement as to the condition of things in the *quoad sacra* parish of Knock, in which I have laboured for many years as a minister of the gospel, and at a former period as teacher.

I will also take the liberty of suggesting to your Lordship some of the *remedial measures* necessary for ameliorating the condition of the people.

My Lord, my recollections of Lewis go back for seventy years, and I well remember the comfortable circumstances of the large population that then inhabited my native parish of Uig. The population of the parish then would be about 3000, as against the present population of 3489; but how different the comfort and the circumstances of the population of sixty years ago! All the people were then in a state of comparative comfort, having arable land, and hill pasture for sheep and cattle, whereas now poverty and want largely predominate. Increase of population cannot here be the cause of the immense difference in the condition of the people. The present population of 3489 is only some 448 more than that of fifty years ago, when the parish had a population of 3041, and when the circumstances of the people were much more comfortable. And this is so in the face of the large increase in the value of the fishing industry since 1831, affording a source of income to the people many times larger now than it was then. Why, then, the unfavourable condition of the people, as contrasted with their condition then? Simply because the large reaches of pasture ground then in their possession have been taken from the people since, and are formed into sheep walks and deer forests, without any abatement of rents formerly charged; yea, with increase in many cases.

The value of his croft to the Lewis crofter depends largely upon the amount of grazing ground, and the number of sheep and cattle he can rear thereon. There are large portions of my native parish of Uig, where, in my boyhood, there were large populous townships of comfortable crofters, that are now all under sheep and deer, their former inhabitants driven away to foreign lands, or crowded upon other crofter townships. These townships had in my boyhood sheep and cattle in abundance, with full liberty to use to any extent the salmon that stocked the rivers so plentifully. These they preserved in large

XXXV.

Rev. Malcolm
M'Ritchie,
Knock.

quantities for winter store, which, along with the produce of their land, flocks, and herds, and the abundant harvest of the sea, caused poverty and want to be unknown among them. These townships then supplied many a brave soldier to the ranks of the British army—among them several of my own near relatives—many of whom found a soldier's grave among the sands of Egypt, or the other battlefields of the Peninsular war. I do not know, my Lord, how many soldiers from Lewis are now serving in the ranks of Her Majesty's army, but the special reason for the smallness of the number must be sought in the state of vassalage and poverty in which the people have been kept for generations, undermining the spirit of enterprise and patriotism which formerly animated them. Unknown to the proprietor, who seldom resided among them, they became the victims of petty officials, who tyrannised over them without any real regard for the moral and material interests of the people, who believed themselves to be entirely in their power. It is no small wonder to see what the people still are, for morally and physically they will bear comparison with any similar class of crofter peasantry in the world. As one who has conversed with old and venerable men, whose evidence, added to my own recollections, can go back more than a hundred and fifty years of the history of Lewis, I must testify to the high character my countrymen of the past bore for moral worth and honesty, as well as for parental and fraternal affection, and hospitality to strangers.

Much has been said of the large sums spent by the late Sir James Matheson on Lewis in improvements. Large sums were indeed spent, but much of it in mere experiments which resulted in no permanent good,—such as the expensive experiments at Loch Ganavich, the paraffin works at Garrabost, &c. Had part of the sums so spent been applied to the improvement of the crofters' dwellings, and for piers and harbours for the better development of the fishing industry, the results to the welfare of the people, and the interests of the estate, would be very different now from what they are. After all the money spent, the fact still remains painfully evident that the condition of the people now is worse than when Sir James Matheson bought the estate. The whole tenor of the management has been all along rather to discourage than to encourage the crofter. Were it not for the fishing, the crofter population could not subsist upon their small allotments of the soil, and that generally the poorest and the worst. For, the close upon 23,000 of the crofter population in Lewis pay only about £8200 of the £20,000 rental yielded by the island, while the other £12,000 are paid by a few large farmers and sportsmen. The soil in possession of the large farmers is by far the best in Lewis, and yields, considering its quality, a far lower rent than the portion in possession of the crofters. The best of the land was taken for the purpose of forming those large farms, and the crofters were driven from them, and huddled together on inferior ground, or sent away (as many of them were) to other parts of the world. This was done without any compensation, or consideration for their own and their forefathers' labours in bringing the soil to the state of cultivation in which it was when they were forced from it. All the land now in possession of the large farmers in Lewis, with the exception of what was reclaimed by the late Sir James Matheson, had been reclaimed by the forefathers of the present crofter population, without any cess that I know of to the proprietor. That being the case, is it just or fair, my Lord, that a few strangers should possess more than half the soil, and that the best of it, mostly for rearing sheep and cattle, while the descendants of the original possessors, a race of hardy and industrious men and women, are crowded together on the most sterile portions of the soil?

But that is the present state of Lewis, and it is not possible to keep the rising generation—with their growing intelligence and information as to what is right and wrong in this matter, and encouraged by the sympathy their cause evokes in many quarters—from considering this state of things a grievous injustice, and entertaining a sense of wrong which may be found in the future far more troublesome than it has yet been, unless some remedy is applied.

I will now humbly call your Lordship's attention to the remedies which, while largely ameliorating the condition of the people, will not injure, but rather enhance the interests of the proprietor.

Remedies.

First.—The people must have more land, if their present condition is not to deteriorate into something worse. In saying this I am far from wishing that the system of middle-sized farms should be discontinued, except when the absolute necessities of the population demand the change. These always existed in the Highlands alongside of the crofter population, and the influence of the one class of tenants upon the other had always been beneficial. They were generally a hardy, intelligent, and patriotic race—very superior to the race of large sheep farmers who displaced them. Many of the latter were as void of patriotism as of generous interest in their poorer neighbours. In many instances they are non-resident in the country-sides they rent, and have no further interest in the place and people than what concerns their own individual advantage. These ought to give way wherever there is a population requiring to be accommodated with land; while, out of these large tracts now under sheep, small farmers could also be accommodated, as well as a crofter population. There is enough land in Lewis—with which I am now more immediately concerned—to accomplish both these objects. Let me begin with the *quoad sacra* parish of Knock. In that parish there are the following townships, with the specified number of crofters and cottars in each, viz :—

(1.) Portnaguiran,	{ 30 crofters 9 cottars }	= 39 families.
(2.) Portvallar,	{ 18 crofters 18 cottars }	= 36 families.
(3.) Aird,	{ 28 crofters 31 cottars }	= 59 families.
(4.) Sheshadder,	{ 20 crofters 12 cottars }	= 32 families.
(5.) Shader,	{ 28 crofters 11 cottars }	= 39 families.
(6.) Garrabost,	{ 69 crofters 17 cottars }	= 86 families.
(7.) Bayble—Upper and Lower,	{ 100 crofters 37 cottars }	= 137 families.
(8.) Swordle,	{ 27 crofters 15 cottars }	= 42 families.
(9.) Knock,	{ 30 crofters 15 cottars }	= 45 families.
(10.) Branahnie,	{ 22 crofters 10 cottars }	= 32 families.
(11.) Melbost,	{ 27 crofters 8 cottars }	= 35 families.

In all, 582 families, of whom no less than 183 are cottars, or families without land, except any small portion which they may have from the crofters. On

XXXV.

Rev. Malcolm
M'Ritchie,
Knock.

XXXV.

Rev. Malcolm
M'Ritchie,
Knock.

many of the crofts—originally small enough for one family—there are now located in many instances two families, and in not a few cases three families. Of the 399 crofters in this parish very few pay £4, or upwards of £4, while 183 cottars have no land at all, except through the subdivision of these small crofts. Is there any way, then, in which the overcrowded state of this parish can be remedied? Within the parish itself there is not certainly sufficient land to give a good-sized croft to each of these 183 cottars, while doing justice to the original crofter population. But many of the people now in the parish of Knock are the children of parents driven in past generations from other parishes in the island to make room for sheep and deer; and that fact should be taken into account in getting land for their accommodation. If there is not enough land in the parish of Knock, there is plenty of land in other parts of the island now lying fallow. In the parish itself, however, there is the farm of Aignish, now under sheep, and it is by far the best arable land in the whole parish. On that farm rushes and ferns largely cover parks once yielding splendid returns of every kind of crop. That farm might accommodate some thirty families, and being contiguous to the sea, is admirably suited for the class of crofter fisher population that inhabit that district. And surely, my Lord, to make comfortable homesteads for some thirty families of the sturdy, hardy fishermen of the parish of Knock is of greater importance than the grazing of a few hundred sheep. This farm yields for grazing purposes now a rental of £110, whereas thirty crofters might pay a larger rental, and be comfortable on the produce of these crofts, along with that of the fishing industry. There is no use in giving very large crofts to fishermen, because they cannot manage them well without interfering with their fishing operations. Contiguous to the parish of Knock, if not partly within it, are the two farms of Holm and Melbost, paying an aggregate rental of £291, which, along with the above-named farm of Aignish, could accommodate more than the whole surplus cottar population of the parish of Knock, and they could and would, under proper arrangement, pay a larger rental than the present. There would still remain, near the town of Stornoway on every side, nine large farms of an aggregate rental of £905, along with twenty-two larger or smaller parks or farms in the hands of single individuals, of an aggregate rental of £214. There is, therefore, plenty of land in or near the parish of Knock to give a fair croft to every family, and leave still a number of small farms and parks for all the wants of such a population as occupy the town of Stornoway. The land, however, should be given under such conditions as to occupancy and cultivation as will guard for the future against the evils which have crept in under the present system. There should be leases given of reasonable length, and every encouragement given for the improvement of the soil. Under such leases it should be a condition—(a), that a house, barn, and byre suitable to the holding should be erected—a model plan for such being supplied by the estate, and Government or the estate supplying at moderate interest the money necessary—to be payable, interest and capital, within a certain number of years. To those capable of erecting such buildings at their own expense, there should be the promise of compensation at the end of the lease, if under the necessity of removing. (b), It should be a condition that special attention be given to the cultivation, feeding, and improvement of the soil. (c), It should be a condition that all subdivision should be strictly prohibited, as well as the housing of more than one family on the holding. The rising generation should be made to keep the prospect before them, that as they settle down in life, as many as the land will not properly maintain must make

nomes for themselves elsewhere. This would largely correct the evil of early marriages, and also direct the attention of many of the young to the propriety of acquiring some trade or profession, or of emigrating to the wide and inviting fields of our colonial empire. It might also lead many to the naval and merchant shipping service.

XXXV.

Rev. Malcolm
M'Ritchie,
Knock.

Under the present state of things there is no proper directing of the energies of the rising generation, and as a result they marry young, and settle—or rather huddle together—in their present miserable surroundings. But were the land given on such conditions as the above, and the people made to feel that they have a real interest in the soil, I am firmly convinced that the whole aspect of things would undergo a complete transformation in a few years, while the interests of proprietor and people would be better secured than by the present system.

The remarks under this head applicable to the parish of Knock are equally applicable to the other parishes in the island. Lochs, with its large population, has within its boundaries ten farms, the rents of which amount to £1349, or within £340 of half the rental derived from land over the whole parish. The whole rental of the parish, according to the valuation roll of 1871, is £4320, 17s. 10d. But of that sum £947 odds are drawn from shootings, salmon fisheries, and feu-duties, leaving £3373, 17s. 10d. as the rental from land, of which the above ten farmers pay £1349, leaving only £2024 to the whole crofter population of thousands of people. Surely, my Lord, this is an unfair division of the soil. The farm of Park alone would supply all the cottar population with land, and would, under a fair arrangement, pay a higher rent than the farmer, while the shootings would be in no way deteriorated.

The same thing is true of the parish of Uig, but in a more aggravated form. The whole rental of that parish is £3771, 10s. 6d, which, after deducting £926, 8s. 6d. for shootings and salmon fisheries, leaves £2845, 2s. as rental from land, of which fourteen individuals and the proprietor pay £1577, 12s. 6d., leaving only £1267, 9s. 6d. as the portion of the thousands of the crofter population! Is it any wonder, my Lord, that the condition of the people is such as it is, when the division of the land is so inequitable?

The same thing is true, but to a more limited extent, of the parish of Barvas, and to the part of the parish of Stornoway immediately adjoining. In both of them there is sufficient land for all the crofter population, while leaving a margin for a few middle-sized farms.

Secondly.—Another improvement that would largely benefit such a population as occupy Lewis, depending, as they do, so much upon the fishing industry, would be the *making of suitable harbours* in the island. The fishing industry has never been developed to the extent to which it could easily and profitably be developed. The want of harbours in suitable centres has mainly hindered this development. There has no proper attention been given to a *close time* for the herring fishing; the best kind of boat and rig for the ling and cod fishing; and several other points in connection with this industry. The forming of a few harbours cannot fail to give a very great stimulus to this industry, and add to the comforts of the people, as well as to the food supply of the kingdom.

Two places in the parish of Knock are specially adapted for such harbours, viz., Bayble and Portnaguiran. Harbours could easily be made in both places, and both are most conveniently situated for the herring fishing, and also for

XXXV.

Rev. Malcolm
M'Ritchie,
Knock.

the winter and spring fishing. Of all places in the island Loch Roag would be the most suitable and safe for a harbour on the most extensive scale. It would be large and safe enough for the whole herring fishing fleet engaged from Barra Head to the Butt of Lewis. Many disasters have taken place among the fishing population for want of these harbours. Within the last fourteen years forty fishermen belonging to my own congregation met their death by drowning, many of them within sight of their homes and friends, who are thus saddened, and discouraged in the prosecution of their calling.

Much, and at no very great outlay, could in this way be done for the population of Lewis, and for the better development of an industry so important to the nation.

I have thus, my Lord, gone rapidly over the most of Lewis, pointing to some things that ought to be remedied, and the remedies that should be applied in justice to the people. I believe the application of these remedies would prove as beneficial to the proprietor as to the people. Many of the burdens imposed by the present condition of the people would be removed, or greatly lightened. Poverty would become less common, and hence poor-rates lighter; rents would be more punctually paid, and the whole tone and condition of the people would be elevated. It should also secure a contented and industrious population on the sea border, plying with more energy and success than ever their fishing operations, and pouring still larger supplies of so necessary an article of food as fish into our large towns and cities. It would also secure a basis of supply of the best possible element to meet the requirements of our army and navy, of our merchant shipping, and the many industries of our large towns and cities. And where could we get better materials for all these than from among such a people? Nor do we know how soon the need of such an element may be felt, and the folly seen of giving up to sheep walks and deer forests the homes and lands once possessed by our brave Highlanders.

MALCOLM MACRITCHIE.

XXXVI.

STATEMENT by the Rev. RODERICK MACRAE, F.C. Manse
Carloway, Lewis.

(See Evidence, p. 875 et seq.)

5th September 1883.

XXXVI.

Rev. Roderick
Macrae,
Carloway.

In compliance with the request of the Royal Commission, I have the honour to submit to you the following statements in reference to the condition and circumstances of the people of my congregation at Carloway.

I have been resident in Lewis for the last seven years, and beyond that period I cannot speak from personal knowledge of the state of the country, or the condition of the people.

In my humble opinion the chief cause of the grievances of the Lewis people is general poverty, arising from overcrowding and the subdivision of crofts. Among small crofters it is found very difficult to prevent subdivision, and though the present chamberlain is known to have done his utmost to prevent it, yet subdivision has been injudiciously allowed sometime or other to take place in Lewis to an injurious extent. Considerable curtailment of holdings without corresponding reduction of rent has also taken place by the formation of new crofts out of the common or pasture land in connection with different townships. The result of this process has been the present overcrowding. Seeing then that the whole extent of pasture land available for crofts has been in the manner described already formed into new lots, one does not see how the overcrowding and smallness of holdings, of which the people have so much cause to complain, can be relieved or remedied under present arrangements in the Lewis. In these straitened circumstances the people naturally raise a cry about land under sheep and deer which they think should be distributed among the crofter population. It is doubtful, however, whether the amount of land under sheep and deer available for crofts would be found sufficient to accommodate the surplus population, or relieve the people's poverty to the extent required. Even should the big farms be set free, the crofters could hardly pay the rent which these yield, unless they were able to stock them, and work them as club farms.

The crofters' holdings are too small, and though the whole extent of their lots is cultivated minutely from year to year, it is only in exceptional cases that the quantity of grain and potatoes raised is found sufficient to support their families. In consequence of this incessant cropping, the soil of their crofts is gradually deteriorating.

The people are strong, healthy, and industrious, and if they had plenty of cultivable land to work upon, they should experience no difficulty in providing a comfortable and independent livelihood for themselves and families. They are also a well-behaving, orderly, and a strictly temperate class of people.

Within my recollection there have been no acts of oppression in the Lewis. The people are generously and considerately treated by the estate, and in this respect they have less cause to complain than many others of their class in other parts of the Highlands.

XXXVI. By way of suggesting remedies for the grievances of the people, I would propose :—
Rev. Roderick Macrae,
Arloway.

1st. Liberal encouragement by the Government for the better development of the fishing industries of the island. Towards this end Government should give substantial assistance for the formation and building of harbours in all places in the island where such would be serviceable.

2nd. Encouragement by the Government for the establishment of fishing villages at suitable places, where the people could earn a comfortable livelihood independent of their crofts. In this way the present overcrowding would be relieved to a considerable extent, and accommodation, and remunerative employment provided for a large portion of the surplus population.

RODERICK MACRAE.

XXXVII.

STATEMENT of Rev. JAMES STRACHAN, M.A., Minister of Barvas,
near Stornoway.

XXXVII.

Rev. James
Strachan,
Barvas.

(See Evidence, p. 957 et seq.)

MANSE OF BARVAS,
28th Sept. 1883.

The average rent of a crofter's holding in the parish of Barvas is £3, which, with rates and road money added, will generally amount to an annual payment of £3, 16s. It is obvious that, in order to render farming on so humble a scale sufficiently remunerative to yield to the farmer and his dependants the commonest necessaries of life, a very large percentage of profit must be realised. Still, an ordinary *lot* (as it is called) of land, embracing as it does five acres of ground under cultivation, and a run of moorland or meadow commonly calculated to pasture three cows with their followers, one horse, and twenty to thirty sheep, might be expected to maintain a family of the class in question in circumstances of comparative comfort. The crofter, however, or small tenant, *does not, as a rule, reap the full benefit designed for him by the proprietor.* For—

Firstly. The space intended for the support of a *single* household is, in many cases, crowded with *two*, and, in some cases, with even *three* distinct families. A youth is scarcely turned twenty when it behoves him, or (what is the same thing) it *pleases* him, to take unto himself a wife; and there being no other means of subsistence open for the young couple (and their coming offspring), the father or father-in-law receives the venturesome pair into his own, or into a hastily improvised contiguous dwelling, and constitutes them shareholders on his own old lot. This system of subdivision—carried on, be it borne in mind, in defiance of the estate rules, and likely to be continued in a community where a man who passes the age of thirty-five without marrying is looked upon as committed to hopeless celibacy—must go far to explain the general poverty. But—

Secondly. The common crofter fails to turn the soil in his possession, such as it is, to proper account. His agriculture is of the most primitive sort. Trenching, draining, fencing—all so requisite on land subjects of even the best description—are to him operations either wholly unknown or rendered all but useless from the slovenly manner in which they are performed. It is in vain that one points out to the individual crofter how vastly he might better his condition at little expense beyond the labour of his own hands. He is too conservative to adopt any suggested change, or too *gregarious* to take any departure from the ways of his fellows. There is, doubtless, a good deal of point in the plea that he does not enjoy the security of a lease, and has, consequently, no guarantee that improvements effected by him may not at any time be used for the advantage of another. But after all is said, *pro* and *con*, in regard to amelioration of any kind, the question ever uppermost in the Lewis crofter's mind is, 'Why ought he not to rest contented with the system, including in its entirety the huts and "*lazy-beds*" of his fathers?' or, 'Why ought he to do differently from his neighbours?'

Bitter complaints have been made of the taxes and imposts, civil and eccle-

XXXVII.
 Rev. James
 Strachan,
 Barvas.

siastical, reckoned by many amongst the causes which have been at work for the last forty years in lowering the material condition of the Lewis crofter. These and such like causes have been, it is submitted, of comparatively minor force in relation to the point at issue. In so far as injurious moral effects have been produced, to that extent it must be allowed that the causes referred to have contributed to the social deterioration of the people; but the main factors in the process under consideration have been the two above stated—the subdivision of the land lots, and the imperfect cultivation of the soil.

For the first evil there appears to be a choice only of two possible remedies, viz., (a), As the leases of large tacks expire, let the people be spread over a greater extent of territory; or, (b), Let there be established a system of partial emigration, on such a scale and on such conditions as shall appear best to the wisdom and benevolence of those who may have it in their power to promote that mode of relief.

For the second evil, a *double* remedy seems to be required: (a), Crofters' leases on reasonable terms as to rent and duration; and (b), A sufficient infusion into the townships of persons who shall be thoroughly up to agricultural work, and show the native population '*how to do it*'—how to treat their arable land—how to improve the breed of their live stock—how to build houses fit for human occupation.

The foregoing statement contemplates the crofter *qua* crofter *pure and simple*. No allusion has been made to fishing, because it is believed that fishing pursuits, so often superadded to the crofter's toils, are not often found compatible with the crofter's success in the pursuit of his proper calling.

JAMES STRACHAN.

XXXVIII.

STATEMENT by the Rev. JAMES STRACHAN, Minister of Barvas,
Stornoway.

(See App. A., XLIV.)

XXXVIII.

Rev. James
Strachan,
Barvas.

MANSE OF BARVAS,
STORNOWAY, 1st September 1883.

SIR,—I am instructed to send you, for the information of the Commissioners, the accompanying statement, which has also been sent for publication in the *Inverness Courier*, the *Northern Chronicle*, and the *Scotsman* newspapers.—
Your obedient servant,

JAMES STRACHAN.

The SECRETARY, Royal Commission
(Highlands and Islands).

STORNOWAY.—*The late Sheriff MacDonald.*

With reference to the aspersions recently cast on the judicial conduct of the late Sheriff MacDonald by Mr Napier Campbell, solicitor, before the Crofters' Commission at Stornoway,—We, the undersigned, beg publicly to record that the worthy sheriff was personally well known to us for many years, and to most of us *intimately*, during the whole of his career in the Lewis, and that he was always regarded by us, and, we believe, by the public generally, as an upright and impartial judge, and as a man of the most humane and kindly disposition. With regard to the crofters—in connection with whose affairs his official administration has been assailed—we can testify that he manifested at all times a warm interest in their welfare (as well as in that of the people at large); and we are persuaded that all his decisions were based on what he conscientiously considered the essential right and law of each particular case, without fear or favour of rich or poor. That Sheriff MacDonald, like other judges, may not have committed errors in judgment we do not, of course, presume to assert; but we know that anything like harshness or injustice was wholly foreign to his nature; that the sentences pronounced by him leant, as a rule, far more to the side of mercy than of severity; that in private life he was so genial and loveable as to be still mourned by numerous attached friends; and that his memory is held in the highest esteem by the general community.

It was, therefore, with not less pain than surprise that we observed Sheriff MacDonald's good name to be evil spoken of; and a sense of justice constrains us to publish this statement in vindication of his character.

ALEXANDER MORISON, *Lloyds' Agent.*

KEN. MACKENZIE, *J.P.*

JAMES STRACHAN, *J.P.*

ROD. MILLAR, *J.P.*

CHAS. MACRAE, *J.P.*

KENNETH SMITH, *J.P.*

P.S.—I am requested to add that, had it been deemed necessary, it would have been easy to get the foregoing statement signed by a multitude of other names.

JAMES STRACHAN.

CXXIX.

XXXIX.

STATEMENT on behalf of Lady MATHESON of the Lews.

Lady Matheson
of the Lews.

(See Evidence, p. 1144, Q. 18455 et seq.)

LADY MATHESON has asked that the following paper should be appended to the evidence taken by this Commission, viz. :—

(a) The original letter from Kenneth Nicholson, Calbost, of which an imperfect copy which was printed at p. 1144 omits the threatening paragraph referred to in the minutes of evidence, Q. 18455 *et seq.*

(b) Statement No. 1, relating to the population, area, and local taxation of the Lews.

(c) Statement No. 2, detailing the expenditure incurred by the late Sir James Matheson in his attempts to develop the resources of that island.

With reference to the petition mentioned in Kenneth Nicholson's letter, Lady Matheson explains, that 'having been answered by anticipation in 1880, 'it needed no written acknowledgment in January 1882, though a verbal 'answer was given.'

CALBOST LOCHS, BY STORNOWAY,
23d December 1882.

LADY MATHESON OF THE LEWIS,

HONOURED LADY,—On behalf of a number of fishermen residing at Calbost, Maravich, and Gravir, in the parish of Lochs, I beg leave most respectfully to send you herewith copy of a petition, addressed by us to your ladyship, through Mr M'Kay, chamberlain of Lewis, last January, and to which we had no reply.

Trusting we may not be led to resort reluctantly to such steps as many of our unfortunate countrymen are forced to adopt.

May I take the liberty of asking that you be so good as let the petitioners know your own views regarding the matters contained in the petition,—I have the honour to be, your ladyship's obedient servant,

KENNETH NICHOLSON-

STATEMENT NO. 1.

Memorandum as to the Population and Area of the Island of Lewis.

Population in 1755	6,396
Do. 1791	8,371
Do. 1801	9,168
Do. 1811	10,099
Do. 1821	12,231
Do. 1831	14,541
Do. 1841	17,037
Do. 1851	19,694
Do. 1861	21,059
Do. 1871	23,443
Do. 1881	25,487

To the population of 1881, 400 militiamen should be added, who were out of the island at the time of taking the census.

Population in 1841	17,037
Do. 1851	17,694
Increase in ten years.....	2,657
Population in 1851	19,694
Do. 1861 (exclusive of 1772 who emigrated).....	21,059
Increase in ten years.....	1,365
Population in 1861	21,059
Do. 1871 (exclusive of 459 emigrants).....	23,443
Increase in ten years.....	2,384
Population in 1871	23,443
Do. 1881 (including 400 militiamen out of the island when the census was taken).....	25,887
Increase in ten years.....	2,444
Total increase in forty years.....	8,850
Population of the island in 1881	25,887
Deduct—Burgh of Stornoway	2,626
Tacksmen and others, not crofters... ..	789
	<u>3,413</u>

XXXIX.

Lady Matheson
of the Lewis.

Leaving a crofter population of22,474 on 2881 crofts, all under £5 of yearly rent, yielding a gross rental of £8167, 2s., or an average rental of £2, 17s. per croft; and gives a population of nearly eight souls per croft.

The population of the county of Ross, exclusive of the island of Lewis, is..... 52,633

The gross rental of the county, as per valuation roll, exclusive of the Lewis, is £264,768.

The population of the island of Lewis is 25,887
With a gross rental, as per valuation roll, of only £26,666.

The population of the county of Sutherland, in 1881, including the burgh of Dornoch, was 23,326
and the island of Lewis, including the police burgh of Stornoway 25,887

Showing a population of 2561 more in the Lewis than in the whole county of Sutherland.

The area of the county of Sutherland is 1,207,188 acres, which give 51½ acres to each soul of the inhabitants; whereas, in the island of Lewis there is only an area of..... 417,460 or about 16 acres for each soul of the population.

The rental of the Lewis is, therefore, in the proportion of £1000 for every thousand of the population; whereas, in the rest of the county of Ross, the rent stands in the proportion of £5000 to every thousand of the population. Consequently, local rates in the Lewis must be five times more than in the rest of the county.

Taking the landward parishes of the Lewis, viz, Lochs, Uig, and Barvas, there is a population of 15,192, with an assessable rental of £12,000. For these three parishes 22 schools have been provided, with school accommodation for 3114 children.

XXXIX. The rates and taxes in the Lewis for the last three years have been as follows:—payable, one half by proprietrix and one half by tenants:—
Lady Matheson of the Lewis.

Year ending	STORNOWAY.				LOCHS.				UIG.				BARVAS.			
	P. Rates.	S. Rates.	Roads.	Total.	P. Rates.	S. Rates.	Roads.	Total.	P. Rates.	S. Rates.	Roads.	Total.	P. Rates.	S. Rates.	Roads.	Total.
15th May 1880.....	2/10	1/8	1/0	5/6	2/10	3/0	1/0	6/10	3/4	2/8	1/0	7/0	3/2	3/4	1/0	7/8
Do. 1881.....	3/2	2/2	1/0	6/4	3/10	4/8	1/0	9/4	3/8	4/8	1/0	9/2	3/10	6/8	1/0	11/6
Do. 1882.....	3/4	2/0	1/0	6/4	3/10	4/2	1/0	9/0	2/8	2/8	1/0	6/2	3/6	3/8	1/0	8/2

* Parochial.

† School.

The average births in the Lewis for each year for 26 years, ending with 1880, was	755 $\frac{1}{3}$
Average deaths	363 $\frac{7}{10}$
Do. marriages	126 $\frac{5}{8}$

STORNOWAY, 18th January 1883.

STATEMENT No. 2.

Memorandum as to Expenditure incurred by the late Sir James Matheson, with the view of developing the resources of the Island of Lewis.

In his evidence before the Commission at Stornoway, Mr William Mackay mentioned the following items of expenditure for the above purpose, the total amount of which is here added up:—

Building houses and reclaiming land.....	£99,720
School buildings and teachers' salaries	11,680
Roads and bridges	25,593
Patent slip at Stornoway.....	6,000
Fish-curing houses at Stornoway	1,000
Steamboat quay.....	2,225
Bulls for improvement of crofters' stock	1,200
Chemical work	33,000
Loss in establishing steam communication	15,000
Loss on improved mail service	16,800
	<u>£212,218</u>

In addition to the above, Sir James Matheson spent on—

Brick works	£6,000
Meal and seed for crofters in years of destitution	30,000
Emigration	11,000
	<u>47,000</u>
Making a total of	<u>£259,218</u>

Irrespective of the cost of the mansion house at Stornoway, and of the shooting lodges at Morsgail and Uig.

XL.

REPORT by JOHN DUTHIE on FISHERIES, to Mr J. MUNRO
MACKENZIE, Chamberlain of Lewis, from 1848 to 1854.

XL.
John Duthie.

(See Evidence, pp. 3312-3314.)

In answer to your questions as regards the fishermen generally on the Aberdeen coast, and here in particular.

1. Fishers do not have land further than what is attached to their houses, 'which are feus or leases of 99 years,' about $\frac{1}{2}$ acre, and used as kitchen garden.

2. They do not keep cows nor horses. All their time, when not actually engaged in fishing, is required in making lines and mending nets, and their material used in fishing. 'They let the farmer have the cows and horses,' and stick to their boat.

3. Generally two boats are used on this coast—one for the haddock fishing, length of keel 22 to 28 feet, termed a 'Garibaldi boat,' the other the herring or deep-sea fishing boat, 44 to 46 feet of keel. The crew for haddock boat is six men. They must be all practical fishers; every man requires a practical knowledge of his work in all its forms, unpractical or green hands not being employed. The larger boat, seven to eight men in the crew, same remarks apply, when engaged at line fishing. When engaged at herring fishing two or three practical fishermen can, with the assistance of hired hands, accomplish the work.

4. The cost of the larger boat is from £200 to £250, fitted for sea *without fishing material*. A new net costs about, at present time, £3, 5s. to £3, 10s. The average value of a fleet of say seventy nets, with buoys, &c., would be about £200, 'that is new and old as used.'

5. The lesser boat as used would cost from £45 to £50 ready for sea. Each fisherman, when equipped for the haddock fishing, requires at least four lines, costing about 25s. each up to 30s.; and for cod and ling fishing, as prosecuted by men here, each man 2000 fathoms length of line, with 500 hooks attached. The value of lines for each man would be about £6.

6. We begin herring fishing on this coast about first week in July. A boat's crew in a good season would have about £40 profit, say for about 200 crans of herrings.

7. For upwards of forty years I have fished at different parts of the West Islands, from Cape Wrath round by Lewis to Coll Island and Barra, and for the five months' work from 1st February to end of June have had as much as 17 tons cured and dried ling and as little as 6 to 7 tons, and got as much as £31, 10s. per ton and as low as £15. We leave here for west coast cod and ling fishing in February. Stop fishing middle of June, just in time to get our fish to market, and begin herring fishing. An average fishing of ling I consider about 10 tons; it does not pay under that.

Your 8th and last question. I have been engaged at lobster fishing, cod, ling, and herring fishing, in the West Highlands, but only at one of these at one time. No fisherman can to any advantage prosecute at same time more than one branch. He must give his whole attention, and do as much

XL.
John Duthie.

work as possible. He cannot, in the short day in March, do as much work as in May. As the day lengthens, so his work increases, by adding to length of line daily in use.

I add a few general remarks:—

Generally speaking, the fisherman here is his own proprietor; he holds his house under feu charter at so much per pole rent per annum, or under lease of 99 years. Formerly fishing towns along the coast were, as it was termed, sit and pay; they had no title, but that has become obsolete, and now mostly all hold as above, and the general size of holdings are about $\frac{1}{4}$ acre. I do not say the same could be carried out in the Highlands, as climate and circumstances differ; but as regards fishing, it is the best ling fishing banks in the world, and with pushing native fishermen, they could make a very good job of it. It is a great expense to us to leave house and families at home. If it did not pay us to go, we would not do so. When I went to fish at first in the Highlands, they were as bad as the Irish to us,—threatened to kill us, destroyed lobster creels at night and stole them, and became so bold as to take possession of our boat, and threatened to kill us, took a gun we had, &c. We were obliged to call in the help of the law, and a few of these men were taken to Dornoch, tried, and punished. We had treatment similar, but not so bad, at several other places. Other crews were treated similarly, but all is now changed. They have benefited by our visits, and we are now made welcome, and it pays us to go. If they do not push, they get no share of the harvest; but to be a farmer and fisherman at same time will never do. He must give up one of them. If he has too many irons in the fire he will get burned.

JOHN DUTHIE.

XLL

STATEMENT by WILLIAM MACKAY, Esq., Chamberlain of Lews.

*(See Evidence in Lewis, pp. 875-1165.)*XLL.
William
Mackay, Esq.
Lews.CHAMBERLAIN'S OFFICE,
STORNOWAY, 25th September 1883.

With reference to the evidence laid before the Royal Commissioners while in the island of Lews, I have already made some statements before you in each of the four parishes in the island, and would now respectfully beg to submit the following remarks in the shape of answers or explanations of statements made by certain delegates.

Murdo MacLean, delegate from Valtos in the parish of Uig, stated 'that the statute labour was commuted in 1850 to a charge of 5s.' Evidence, Q. 13676.

This labour was commuted into a money payment long before 1844; but it was optional to the crofter to perform one week's labour or make a payment of 5s. in lieu thereof.

He further stated that 'about 1827 the township was deprived of some islands, and a few years before that of moorland pasture, and for that deprivation they got an abatement of £40 of rent.' Evidence, Q. 13711.

In the year 1823 the rental of the township of Valtos was £239, 13s., and in 1828 the rent was £169, 10s., so that, if deprived of moorlands within that period, the crofters must have got a deduction of £70, 3s.

The rental of this township in 1828, as already stated, was £169, 10s., and now (1883) it is only £159, 1s., and the marches and boundaries are the same to-day as they were in 1844, and probably may be the same as they were in 1828. I merely refer to this to show that no dependence can be put on statistics or figures given by such delegates as Mr MacLean, who had merely hearsay for his statements.

He further stated that 'the people had no inducement to improve their dwellings.' Evidence, Q. 13680.

I consider they had every inducement to do so, when, by the rules of the estate and the conditions on which the tenants held their crofts, they are secured, in the event of being removed at the expiry of a lease, or otherwise quitting their crofts during the currency of a lease, in full meliorations for their houses, according to the valuation of parties mutually chosen, providing the house was not used both as a dwelling-house and byre, and that the smoke was allowed to escape by a chimney or other opening on the roof.

It is not correct, as stated by Mr MacLean, that 'a number of people were evicted from Callanish about 32 years ago, and that in recent years there had been cases of arbitrary eviction at Crolovick.' Evidence, Q. 13741.

Grievous complaints were made against two crofters in Crolovick by their neighbours; and, after inquiry, these complaints being ascertained to be well founded, they were shifted to another township.

Norman Morison, delegate from Brenish, is reported to have said that 'about fifty years ago there were between 12 and 16 families in Brenish, and now there were 43, of whom 29 were on the rent roll.' Evidence, Q. 13853-13855.

The fact is that fifty years ago there were 25 crofters on the rent-roll in this township, and now there are 29, but there are other 15 families as squatters

XLI.
William
Mackay, Esq.,
Lews.

or sub-tenants, so that the overcrowding here has arisen entirely from the crofters themselves subdividing their crofts, and not from families from other townships thrown in among them. There was no increase of rent on this township since 1844, except interest on outlay by the proprietor on improvements and fencing. The rental now is £99, 6s., and the arrears outstanding at 31st December last were £188, 6s. 2d.

Evidence,
Q. 14054.

Angus Macarthur, delegate from Kirkibost, in the island of Bernera, stated that 'they wanted an island which used to go with Kirkibost, but they could 'not get it.'

On the 5th June, at Uig, and again on the 11th June, at Stornoway, I gave some particulars regarding the township of Kirkibost, and have only to add that these crofters were removed from Bosta to Kirkibost at their own urgent request, and were never summoned to remove; that they did not consider the rent high, and would have given more for it if asked. There was no island attached to Kirkibost, and I never heard of such, nor did any of the crofters. at the time of negotiating for the exchange from Bosta to Kirkibost, ask for or say anything about an island.

The crofters of this township got as much land as they could desire, and a lease of their holdings which provides for compensation for houses and other improvements. Still, their houses are nothing better than other houses in the island, nor are they in better circumstances than those who have no written leases.

Evidence,
Q. 14139.

George Macaulay, delegate from Hacklete, in the island of Bernera, said 'the people could never rise out of poverty, but would sink deeper into it 'unless their rents were reduced and more land given to them.'

The crofters of this township were formerly in the adjoining township of Croir, in the same island. There were eight crofters in Croir, paying a rent of £33, 13s., and seven cottars or sub-tenants. All these petitioned to be removed to the farm of Hacklete when it was out of lease in 1880. Accordingly, they did remove to Hacklete, but considered the place too large for fifteen crofters. Consequently, there were five cottars taken from Tobson, in Bernera, and placed with the fifteen from Croir in Hacklete. The rent they now pay is the same as was paid by the former tacksman (£85, 8s.). They have also the privilege of sending their cattle and sheep to the Bernera summer sheilings or grazings on the mainland of the Lews island, which the former tacksman had not, though he paid as high a rent as the crofters now do. Still, if this delegate represents correctly the views of the crofters of this township, they now think they have not sufficient land, and that they are too highly rented, though they are unable to cultivate the whole of the arable land they have got.

I think the case of this township, and that of Kirkibost already referred to, goes far to show that crofters who are also fishermen cannot pay the same rent for the same area that a tacksman can do, and that leases will not, in Lews at least, work out the marvellous improvements many ascribe to them.

Evidence,
Q. 14751 et seq.

Murdo Macdonald, delegate from Tobson, stated that 'the people of Tobson wished to get the lands of Bosta, which were vacated.'

But Bosta was not vacated, but given up in exchange for Kirkibost; and the main reason for making the exchange was that the peats were exhausted in Bosta, and that the crofters had consumed as fuel nearly the whole surface of their pasture lands, and therefore the place had become unfit for crofters.

Evidence,
Q. 14757 et seq.

Macdonald further stated that 'the hill pasture taken from them was added to the deer forest. It was eleven years ago that occurred.'

There were no pasture lands taken from this township, or from Bernera eleven years ago and added to the deer forest; but the crofters of Bernera were shifted from their summer sheilings at Bealach-eaulan to the farm of

Earshader, which farm is on the opposite shore of the island of Bernera, and, therefore, nearer and more convenient for the crofters than their former sheilings, which were upwards of twelve miles from Bernera; and in going to and returning from their former sheilings or grazings they had to pass through the farm of Earshader with their stock.

XLL
—
William Mackay, Esq.,
Lews.

This delegate says 'they put up the dyke referred to in the course of a winter and spring,' whereas the dyke was put up in less than ten days.

Evidence,
Q. 14760.

The delegate from Borrowston stated that 'fifty-five years ago there were only five crofters in the place, paying a rent of £42; now there are fifteen, and the rent was £61.'

Evidence,
Q. 14910

The fact is, that fifty-five years ago, *i.e.*, in 1823, there were fourteen crofters in this township paying a rent of £46, 4s. At this date there are sixteen crofters paying a rent of £48, 10s., showing a rise of only £2, 15s. in fifty-five years.

The crofters of this township are not prevented from taking sea-ware from the shores of Limeshader, as was said by this delegate; and there is no moss that could be used for fuel in Limeshader.

The delegate from Kerrivick stated that 'seven crofts had, since Sir James Matheson got the estate, been divided into fifteen, and besides there were five squatters, or families within the land

Evidence,
Q. 14938.

There were eight crofters in this township in 1844. There were no crofters or tenants from any other township placed there; but the eight crofters subdivided their crofts amongst their sons and sons-in-law; so that there are now fourteen families on the eight crofts, besides other four families who have no lands. It was perfectly well known to those crofters that the subdivision of crofts was contrary to the rules of the estate, but they did so in this township in particular in defiance of factor and ground officer, as everything within their power was done to prevent it.

Murdo Mackay, delegate from Lionel, Ness, stated that 'twelve or thirteen years ago, in the time of Munro, they had to build a dyke between the moor and the tack of Galson, and that the crofters did the whole work.'

Evidence,
Q. 15605.

The proprietor erected the south and north march fences on the farm of Galson; and in 1871 a portion of hill pasture about six square miles was cut off the farm and given to the adjoining crofters. Between this hill pasture and the farm of Galson there was an old turf march fence known as the black-dyke, which the crofters undertook to repair on their getting this pasture, and thereafter to uphold the one-half of it, and the proprietor or tacksmen of Galson to uphold the other half. This has accordingly been done, and the upholding costs the crofters 6d. each, and the proprietor pays an equal sum to that contributed by the crofters towards the upholding of this dyke, and both sums paid to the crofters' herd, who undertakes to uphold the fence, and this enables the herd to take less wages from the crofters for his herding than he otherwise would do had he not the upholding of the fence.

George Mackenzie, delegate from Laxay, stated that 'Mr Mackay, the present chamberlain, had committed very gross injustice upon a blind and helpless sister of the delegate's, by cruelly turning her out of her croft, although she was not in arrear, and had kept her croft in order.'

Evidence,
P. 1140,
Q. 17386.

The woman here referred to was a squatter or sub-tenant on Roderick Ferguson's croft. I never deprived her of the portion of the croft she held from Ferguson; but Ferguson seeing that she brought a nephew—a son of the delegate's, to live with her; and that the nephew was likely to get married, he (Ferguson) deprived her of the portion of his croft which she held from him, for this reason that she was unable to pay the rent and had applied for parochial relief, but more particularly for fear that if the nephew was to get married and be on the croft, he (Ferguson) would never come into possession of the whole of his croft. This was perfectly well known to George

XII.

William
Mackay, Esq.,
Lews.
Evidence,
pp. 1443 and
1444.

Mackenzie when he made his statement, and that I never deprived his sister of the lands she held from Ferguson.

It was stated by some of the delegates at Keose that application was made by the crofters to Lady Matheson for the farm of Park or for part of it.

Lady Matheson's first impulse and inclination was to put part of Park under crofters, even should it be at less rent than she could otherwise obtain; but after full consideration and consultation with friends and other proprietors she resolved not to do so for the following reasons:—

1st, That under present circumstances it would not be advisable to increase the crofter area in Lews until something is done to prevent the possibility of subdivision of crofts, which can only be done by having free emigration, and making subdivision of crofts punishable as a crime or misdemeanour.

2nd, No part of Park is well adapted for small crofters. With the exception of about thirty acres in Loch-shell, a plough cannot be used in the remainder of Park. What land there is fit for cultivation with the spade is situated at the heads of arms of the sea or lochs extending for some miles landwards; and placing crofters at the heads of these lochs they would be too far from the fishing ground. Many years ago there were crofters in some parts of Park, and it has been said that for this reason (that is, that they could not prosecute the fishing), they had to be removed to other parts of the island.

3rd, Should such parts of Park as some may think suitable be put under crofters, the number thus accommodated would not be 'a drop in the bucket' in the way of relieving the overcrowding of crofters in the parish of Lochs.

4th, To increase the crofter area by placing crofters in Park would only increase taxation, poverty, and pauperism, and necessitate additional schools in a parish where there are twelve schools already with only an assessable rental of £4129. And lastly, the parties applying for Park are unable to build anything like decent houses, reclaim the land by trenching, or even to stock the land.

With regard to the evidence submitted at Stornoway, the delegates there made misstatements like the other delegates throughout the island, particularly as to rents, number of crofters now and in former years, lands taken from them, and rents raised, &c. I shall only refer to a few of them.

Evidence,
Q. 16022.

Roderick Mackenzie, Coll, stated that 'when the estate was purchased by Sir James Mathison four were put into their township, and when the township of Garrie-gorm was cleared four were put in upon Coll.'

When Sir James Matheson purchased the estate, there were no crofters in Garrie-gorm, nor for many years before then. In 1844 there were forty-six families in Coll, and though no crofter was put there from another township, there are now eighty-nine families—all through squatting and subdivision of crofts.

This township was lotted and rented in 1849, and there has been no change in the boundaries since then.

Evidence,
Q. 16616.

Roderick MacSween, Steinish, stated that 'the proprietor deprived them of 120 acres of agricultural ground and moorland pasture; that the previous rent was £30, 17s., whereas it was now £41.'

About 50 acres of waste land, from which the surface had been removed, and therefore of no use for pasture, was partly reclaimed and enclosed, and let to two tenants, at £13, 6s. The other twelve tenants in this township are paying the same rent now as they did in 1844. The rent of the croft held by this same delegate is the same to-day as it was in 1829.

I have already referred to what this delegate says in regard to the want of a road to the burying-ground at Eye. It is a fact that there is a public road to the burying-ground, therefore he had no ground of complaint on this head.

With reference to the statements made regarding a quay at Bayble, 'that the clerk of works on the estate had removed stones from this quay.' This quay or slip was originally built by the late Sir James Matheson. He never exacted dues for it. Mr Methuen, fish-curer, may have exacted £1 from each boat, as was stated by some of the delegates; but if he did so, it is more than likely that he extended, enlarged, or repaired the original quay. I can state for a fact, from my own personal knowledge, that this quay was almost wholly swept away by the sea, many years before the clerk of works removed a stone from it; and further, that the crofters themselves had taken stones from this quay for building their houses.

XLI.
William Mackay, Esq.,
Lews.
Evidence,
Q. 16356 *et seq*

The Rev. Angus Maciver, minister of Uig, stated at Stornoway that 'the crofters rents in the Lews had been doubled since 1843.'

Evidence,
Q. 16423.

This is not the case, or anything like it. In my former statement, submitted to the Commissioners at Stornoway, I showed that the land rental in 1844 was £10,256, and in 1883 £12,713, being only an increase of £2457 in thirty-nine years—principally made up by interest on improvements and farm-houses, and new townships formed from reclaimed land. Of this increase, £520 is on the manor farm and castle grounds alone. It is therefore clear that Mr Maciver is in error in maintaining that the crofters' rents have been doubled since 1843.

The total area of the island is 404,477 acres, of which 240,831 acres is under crofters, at a rent of £8430, 3s.; 124,648 acres under tacksmen, at a rental of £3951, 11s.; 34,747 acres under deer forests, and 4251 acres held by others, such as ministers' glebes, town-lands, school and church sites, feus, and pleasure grounds.

The total number of crofters in the island, as entered in the rent-roll, is 2948, besides 804 cottars or squatters.

The total area of the crofts, exclusive of hill pasture held in common, as recently ascertained by measurement, is 14,758 acres, which on an average gives 5 acres to each croft. But from the total area I estimate there should be about 3000 acres deducted for uncultivated land, and land unfit for cultivation within the boundaries of the crofts. This would leave 11,758 acres under cultivation, at an average rent of 14s. 5d. per acre, exclusive of pasture lands.

With regard to the clearances that took place since Sir James Matheson purchased the island, I may mention that it was not for the sake of profit that any one township was cleared, but that the land was such, in consequence of the potato failure and other causes, that the crofters could not make a livelihood or pay any rent.

As a proof that Sir James had no desire to remove the people, I may mention that some years before he purchased the estate, the Seaforth trustees had rented to Dr Macaulay the farm of Ardrol, and the townships of Valtos and Kneep. The crofters in these townships were to be removed. The trustees did not remove the crofters, and therefore Dr Macaulay raised an action, or threatened an action against them for damages for not giving possession of these townships.

Rather than see the people removed, Sir James offered to contribute £500 towards the damages claimed by the Doctor, and also to take all his stock and effects on the farm of Ardrol at valuation, for which he paid £933, which offer was accepted by the trustees, and the crofters were allowed to remain, the trustees settling with Dr Macaulay by a payment of £4700.

The reason for clearing the township of Reef was that it was not suitable for crofters. The ground being sandy, and the potato crop having failed, they could not raise enough of other crops to support them. There were no peats

XLI.
 William
 Mackay, Esq.,
 Lewa.

in the township, and they had to go a distance of eight miles to cut peats. Their summer pasture was also a distance of eight to ten miles from them, and they were very much in arrear of rent.

They got two years to remove. Six of them took advantage of free emigration to America, and the rest of them were provided with vacant crofts in other townships.

Carnish was cleared in 1850. This township was even more unsuitable for crofters than Reef. The ground being also all sand, was unsuitable for growing corn crop; and when the potato crop failed, the crofters were left destitute. They had disposed of almost all their cattle, and were supported by the Highland Destitution Committee. They were nearly three years in arrear of rent; and though they got the land free of rent, they could not support themselves. About one-third of them emigrated, and the rest settled in other townships in vacant lots from which the people went to America.

Hacklete and Ballygloom.—The half of these townships was occupied by a tacksman who emigrated with two of the crofters in 1852. The five remaining crofters removed to other townships, as they had not the means of stocking and paying for more lands, and being much in arrears.

Downe Carloway.—A large portion of the pasture lands of this township having been drained, trenched, and enclosed, and a farmhouse and steading built, it was found necessary to remove the crofters to more suitable vacant lots in other townships. One family emigrated. This township and the farm was in 1872 given to the crofters of Mangursta, who, at their own request, were removed there.

Dalemore.—This was a most unhealthy place, and the people were glad to leave it. There was hardly a healthy person in it. Every crofter had been twice married. They were over three years in arrears of rent. Four families emigrated; the others removed to other townships, where they were accommodated on vacant lots. This village was situated in a valley, the drainage of which was blocked up by the heavy surf, and though opened, soon filled up again. This caused the unhealthiness of the place.

Mel'ast Borne.—The crofters of this township could not be got to pay their rents, and they were often warned that if they did not pay they would be removed, but to no effect. Eight of them emigrated, and the rest got lots in other townships and new lands reclaimed at Ballantrushal.

North Tolsta.—This township had been formerly occupied by a tacksman, but prior to 1853 by twenty-five crofters. Of these four emigrated, and twenty-one removed to South Tolsta, where they were accommodated on vacant crofts of people who had gone to America.

North Galson.—The crofters of this township petitioned to be sent to America in 1863, as they could not maintain themselves on the lands they held. There were forty-three crofters; twenty-four emigrated, and nineteen were provided with vacant crofts in other townships. The rental of the township was £154; and at the time of their removal they were £289, 11s. 11d. in arrears of rent, which was wiped off, and they got valuation for such of their stock as they could not otherwise dispose of.

There were no crofters evicted forcibly, and no legal proceedings taken except the notice of removal, and even this same was not given in the case of the Galson crofters. The people were allowed to remain in their holdings till they had fixed on another place—some one, two, and three years; and assistance in most cases was given to build new houses.

There were no people removed to a vacant lot in a township, if a crofter in that township wished to take the vacant croft in addition to the one he held, and pay for it. Had these townships not been cleared, the land left vacant by the people who went to America would have remained so, as up to 1854 there was no great demand for land except in the parish of Lochs.

I send herewith extracts from letters sent by those who emigrated to America to their friends in the Lews, showing how much more comfortable and well off they were in America in comparison to what they were in the Lews.

XII.
—
William
Mackay, Esq.,
Lews.

I also send, as I promised the Commissioners I would do, printed copy of letters sent by emigrants to Sir James Matheson.

I have to add that, though it was said by certain delegates that nothing was done to assist the crofters to build better houses, to mostly all the crofters who built improved houses, the proprietor made loans in the shape of money or materials, that no interest was charged on these loans, and that a great part of these loans are still outstanding.

In 1872 the crofters in the township of Barvas were made to build improved houses, with two doors and a division between the dwelling-house and the byre, and doors, windows, and other woodwork was supplied by the proprietor, to be repaid as the crofters could do so; but these houses were no time occupied when they closed one of the doors, and they went back to their old habit of having one entrance for the inmates and the cattle. The same thing occurred in other townships as well as Barvas.

P.S.—The total number of crofters in the Lews, as entered in the rent-roll, is 2948, and 804 cottars or sub-tenants—in all, 3752 families. Should the whole island be given to these 3752 families, it would only give 108 acres to each family—the total area of the island being 404,477 acres. It is therefore clear that, if a Lews crofter would require from 6 to 10 acres of arable land, and from 400 to 700 acres of pasture lands, the present number of crofters cannot be provided with this area in the Lews.

WM. MACKAY.

*Extracts from Letters from Lews Emigrants in Canada to Friends in Lews,
1851 and 1864.*

I.—FROM DONALD MACDONALD, Dundas, to GEORGE SMITH, Callanish.

DUNDAS, 12th August 1851.

I have to inform you that we are working here since we came to this place on the railway, and about 60 families from the Lews, and the wages going here is from 3s. 6d. to 4s. 6d. per day. We have very hard work, but good meat—beef, pork, bread, and butter—and we bought a house that cost 20 dollars, that is £4, and a store for 10 dollars.

II.—FROM DONALD CAMPBELL, Lingwick, to his FATHER, Lews.

LINGWICK, 23rd September 1851.

I am working at the railway which is passing through the province to the States, 810 miles long, and there is plenty work for many hundreds, and good payment too. Workmen are paid 4s. 6d. to 6s.; joiners, 7s. 6d.; masons, from 7s. to 10s. per day, and they are thinking that the railway works will continue for ten years, which will be a great advantage to this province, for it will furnish Canada with many thousands of pounds, and is profitable for emigrants. I don't want you better used than I am here, for I came here empty, and now I have plenty money to sustain my family this year; and I

XLI.
 William
 Mackay, Esq.,
 Lews.

must say that this is a good country, and I wish that my friends were with me. I tell you, but you won't believe me, for I know the nature of the old country; you won't believe the truth, but if I told you lies you would believe me. However, I will tell you the truth, and want you all to come that is able to work. Oh! young men of Ness, I want you to come here, and be not afraid. Leave the poor fishing at Ness. Oh! my brothers and sisters, and all of you, be sure and come here, and don't live starving where you are.

DONALD CAMPBELL.

III.—From MALCOLM M'LEOD, County Sherbrooke, to JOHN M'LEOD,
 Swanibost, Lews.

27th September 1851.

MY DEAR BROTHER,—I work here for 4s. 6d. per day, my uncle for 9s., and the most of those who came to America with me are working at the railroad, some at 4s. 6d., others at 4s. 9d. per day. All I can say of Canada is that I am glad I came to it. You can tell Angus M'Ritchie if he had come here that his family would earn 20s. per day, and it is a wonder when people can content themselves at home when there is such good pasture in Canada. My dear brother, if you are of the same mind as when I left, I hope, before you are done reading this letter, your mind will be made up, and that you will not hesitate for a moment to say you are going to come, and we shall help you, and linger no longer on the barren soil of the poor decaying Lews. Let courage have its place in every starving Lewsman. I have ate nothing worse than bread, beef, pork, and potatoes, and every other necessary, since I came here.

MAL M'LEOD.

IV.—From ANGUS M'LEOD, Lower Canada, to MALCOLM M'RITCHIE,
 Swanibost, Ness.

18th August 1851.

MY DEAR FATHER-IN-LAW,—The wages here is 27s. a week. Those that are cutting the grass have seven dollars a week. John, if you will come here you will get £30 sterling and your meat in the year, and although all the Lews would come here they would get work for 4s. 6d. per day.

ANGUS M'LEOD.

V.—From DONALD M'LEAN, Lingwick, to NOR. MACDONALD,

20th September 1851.

DEAR SIR,—I am of Findlay's opinion. I hope you may depend on my integrity, and believe me that I am not under any necessity to tell lies. I am aware that if you and your father's family had come to this country you could earn from twelve to sixteen dollars per month each. The wages on the railroad is from 4s. 6d. to 5s. 3d. per day. Now I don't attempt to give you the least invitation against your own accord, but I am of opinion that if you shall be removed from Kneep you should not settle in any spot of the island. Labourers in this country get bed and board as good as the common gentleman in your country.

DONALD M'LEAN.

VI.—From DONALD MACDONALD, Dundas, to DUN. M'LEOD, Dalimore.

23rd September 1851.

DEAR SIR,—I have to tell you that myself, my father, and all the rest are working at the railway, and we have very good wages—3s. 6d. per day. I

get a barrel of white flour here for 16s., 1 lb. butter for 6d., 1 lb. beef for 3d., 1 bottle whisky for 2s., a pair of shoes for 10s., which would cost me 20s. in Stornoway, and many other things accordingly.

DONALD MACDONALD.

XII.
William
Mackay, Esq.,
Lews.

VII.—From NORMAN M'LEOD, Brompton, to ALEXANDER M'LEOD,
Lower Barvas.

30th September 1851.

DEAR SIR,—I am here on the road to the Scotch settlement, working at the railway, which will be a great advantage to emigrants, for there is good wages here and the work easier than at home. Single workmen are paid from 4s. 6d., to 6s. 6d.; joiners, 7s. 6d.; masons, of 7s. 6d. to 10s. So you can judge of that. Government land is given to people for nothing—50 acres—and as much more as you like, for 4s. 6d. per acre. This place is different from yours, and I know it will be better for you to come here. It is easier for a man to live here on the work than to be there a tenant. All things have dealt well with us as yet, whatever they may do hereafter, and the Gospel is preached to us here.

Every one that has boys should come. We are much obliged to the proprietor for his kindness in sending us here, for we know that we will be better here than we were at home. We are better off here than we were at home. I have to say that they are expecting railway work here for ten years, but it is leaving the meat dearer than in former years. It is about the same as in Scotland this year, and the potatoes have a little disease, but not bad. However, they don't live here on potatoes as they do at home.

NOR. M'LEOD.

VIII.—From JOHN M'LEOD (elder), Sherbrooke, to ALEXANDER M'LEOD,
Valtos.

24th October 1851.

The emigrant agent came to Sherbrooke with us. The work at the railroad is going on. We get very good wages—4s. 6d. per day, I got 5s. for acting as superintendent, and now, since I began to work on the 1st of August till this day, I made £15. This is a better country for people than Lews, and there is a great demand for boys here to drive carts. They would get six dollars a month. The women were working at harvest, when they get 2s. 6d. per day. We have a free house from the contractor. The people that are here for a time are well off. I saw Ken. M'Leod. He is a rich man. He told me he would not give his property for yours now. He has 200 acres of land, 100 of which is cleared. Every one of our country people who came here are in good health. I know my friends at Lochs will be thinking that I will tell them the truth about America, and I will do so as far as I know about it. In the first place, I tell you or anyone who may inquire, that all above eighteen years will get 4s. 6d. a day, and boys about ten, 5 dollars a month and his board. We have plenty to eat and drink; anyone need not be without meat and clothes here if he has a mind to work. Women get 2s. 6d. a day at harvest work here and board. Wheat is 5 dollars per barrel; potatoes, 2s. per bushel; beef, 3d per lb.; butter, 6d. per lb.; pork, 6d. per lb.

IX.—From MAURICE MACFARLANE, Stratford, Upper Canada, to ANGUS MACFARLANE, Melbost.

26th September 1851.

DEAR BROTHER,—I cannot give you much news about this country yet, but we are seeing them that came to this place five years ago are as well off as

XII.
 —
 William
 Mackay, Esq.,
 Lews.

gentlemen in Scotland. Every good worker would do well here; the wages are from £2 to £2, 10s. per month. This country is not so cold as Lower Canada. The cattle and the crops here are out all winter. There are more swine here among the farmers than sheep; they give better victuals to their swine here than what most gentlemen keep to their servants at home. Don't you think I am telling lies—no, as I am before God.

MAURICE MACFARLANE.

X.—From MURDO M'IVER, Lingwick, to ALEXANDER M'IVER, Laxay, Lews.

11th September 1881.

MY DEAR FATHER,—I have to say about this country, any who wishes to work can get plenty, and good wages, from 4s. 6d. to 7s. 6d. per day; and I would advise young lads and young women to come here. I am sure the country will not please you at the beginning; but there is no fear of any man who can work, although he came here without one penny.

MURDO M'IVER.

XI.—From ANGUS YOUNG, Lingwick, to DONALD YOUNG, Collanish, Lews.

23rd October 1851.

DEAR FATHER,—I was employed at the railway mostly since I came here, at 4s. 6d. per day. I got a small house made on John M'Lean's lot, in order to pass the winter near the provision market, as the Government land is about eighteen miles from this place. I am very comfortable in the midst of the old settlers. I expect to begin on Monday at 5s. per day, which will continue as long as I shall be able to stop at the work. It is my intention to begin on Government land next spring, when I shall get land for 4s. 6d. per acre, and 50 acres grant to every individual above eighteen years of age. I freely state that my board since I came to this country is as good as any gentleman in the land, so that it is a great pity that the young men have no courage to leave their slavery and come to this country, where they could live like men. The old settlers that came from the parish of Uig, Lews, are well off. I am very sorry you will not have the courage to come to a country where you can do so well. Tell John, my uncle, that I want him to come without loss of time. Girl's wages is from 2s. 6d. to 15s. per month. Tell Neil Macdonald that he can earn here 6s. 3d. to 12s. 6d. for making a coat. I wish to tell you, dear father, to prepare for emigrating next summer; and I want you to tell all my friends to take the contents of my letter into consideration.

ANGUS YOUNG.

XII.—From PEGGY MACIVER, Sherbrooke, to her Father, ANGUS MACIVER, Barvas.

DEAR FATHER,—I am now comparatively comfortable since I came here. I can send you better accounts than ever I could in Barvas, the best day ever I was in it. As soon as we landed, the agent sent us out in carts sixty miles, and there the most of the emigrants remained, where they got immediate employment at the railroad for 4s. 6d. per day. Our table can now be as well furnished as the minister's, and can have as much clear at the end of the month as the family costs. We got temporary houses put up for us, and are so far quite comfortable. Catherine, my sister, and Angus, would do exceedingly well here. I am sure he would suffer more in one day's fishing than he would do here in a month. I would advise all my friends to come here, fully aware that it would be for their benefit. I hope you will all be preparing to come here. It is in my power to assist you even now.

PEGGY MACIVER.

XIII.—From MALCOLM SMITH, Stratford, to JOHN SMITH, Bragor, Lews.

29th September 1851.

DEAR UNCLE,—I think that you will come here if you get the chance we got. You will be far better here than at home; and if you will come, bring my brother Murdo. Tell Murdo M'Lean if he and his family were here they would be very well off. John and Rosy would get £30 a year. Tell my aunt to try and come, and if I will be spared before her, she need not be afraid to come; and I would advise every one of you to come as soon as you can, for this is a very good country for food. There is no want of anything here, and we are as happy here as the day is long. I repent very much because I did not come here before. Poor people makes great harm to themselves in stopping too long in your poor country.

MALCOLM SMITH.

XLI.

William
Mackay, Esq.,
Lews.

XIV.—From JOHN MACKENZIE, Lingwick, to NORMAN MATHESON, Barvas.

DEAR BROTHER,—It seems, as far as we can understand, that all from first to last is a preparation for the poor of the Lews, as provision is cheap and plentiful, and the people that have labourers can get through without much hardship. All the railroad is going on at Sherbrook, and all who are able to work are working at it, and welcome. Dear Norman, I hope you will come; and if you will not, send me John to prepare for you, by Sandy Morrison, as I hope Sandy will come any way, who would do well here. Wages are from 4s. 6d. to 5s. per day. I was very sorry when I saw the rest coming, that you were not along with them, and I cannot describe how sorry I am; and if I was near you, as I am far from you, you might not be in such hardship.

JOHN MACKENZIE.

XV.—From J. A. M'IVER, Brompton, to MURDO M'IVER, Barvas, Lews.

DEAR FATHER,—I have to praise God for being so well ruled by His hand, and in getting so many good chances since we left you—that is, a good passage; and when we came to Quebec, we were forwarded in steamers, and sent with our luggage to the Scotch settlements; but I have stopped here working, for there is good work going on, and good wages, being from 4s. 6d. to 6s. per day, and the work is not so hard as in the old country. I know that you will not repent coming here.

J. A. M'IVER.

XVI.—From Rev. EWEN M'LEAN, Melbourne, to J. M. MACKENZIE, Esq., Chamberlain, Stornoway.

6th Nov. 1851.

MY DEAR SIR,—I and our family, in the good providence of God, arrived safe at Quebec, after a passage of seven weeks from the Clyde. I am here on the railroad, where I have taken up quarters during the cold months.

The most of my flock have gone up to Lingwick, and mingled with Mr Gordon's people, which excludes my services. Others have gone up to Upper Canada, and the remainder are hereabouts on the railroad. The wages here are exceedingly good—35s. per week. This is a good country for labourers and tradesmen. The country is to be cut up by length and breadth with railroad, and will give abundance of work to all classes. Tailors, shoemakers, and merchants do well here. They live in the first style, and in habit most comfortable houses. I could give you no idea of the comfort. The country abounds with every good thing; it knows no want. You have only to look after the people for a few months, and you will make them lairds in a few years. The atmosphere is most pure and healthy. Pasture is rich, and the soil excellent. Every man fit for, and willing to work, will in a few years be very comfortable here.

EWEN M'LEAN.

XLI.

William
Mackay, Esq.,
Lews.

Copy Correspondence as to Lews Emigrants in Canada, 1864.

I.—FROM A. C. BUCHANAN, Chief Agent, Government Emigration Office,
Quebec, to Sir JAMES MATHESON of the LEWS.

24th March 1864

MY DEAR SIR,—It is some time since I had occasion to address you, and I do so now in consequence of a letter lately received by me from Mr Murray, of Glasgow, transmitting copy of a letter sent home by John Grahame, one of the emigrants, whom you assisted to reach Canada last summer, and now settled it appears in the eastern townships. This person's description of the hardships he endured induced me to forward his letter to the Rev. Mr Milloy, Free Church minister, who resides in that quarter, accompanied by a request that the facts of the case might be inquired into, and the truth made known to me. Mr Milloy's reply, which reached me yesterday, together with a statement signed by the heads of eleven families, I now enclose; and I think they sufficiently establish the falsity of Grahame's tale. At anyrate, I hope they will have the effect of removing from your mind any unfavourable impression that may have been entertained as to the welfare of your people in this their adopted land; I also forward a letter received from Mr Pope, M.P. for their county, the original of which I sent to Mr Murray a short time ago, containing a refutation of Grahame's statement with reference to himself, and corroborating Mr Milloy's.

I think you should have those statements published in Lews as an encouragement to others. Although I have no direct communication with those families who went to Western Canada, yet from what I learn they have been successful, and are doing well.—I am, &c.,

A. BUCHANAN.

II.—REV. MR MILLOY to Mr A. C. BUCHANAN, Quebec.

LINGWICK MANSE, 21st March 1864.

MY DEAR SIR,—I duly received yours enclosing a letter of Mr Murray's, Glasgow, also copy of a letter from one John Grahame, of Winslow, to Sir James Matheson's factor in the Lews, Scotland; I herewith enclose both, and make the following reply to yours:—

I was not acquainted with John Grahame before your letter arrived, but upon inquiry I found he is teaching a school in Winslow, and that he suffered no hardship since he came here unless it be that his imagination troubled him. His necessities are not real, therefore, for I am credibly informed that the liberality of the people hitherto supplied all his immediate wants. He did not buy any provisions for himself since he came, and his barrel of meal is yet pretty well filled. The same thing is true of others of the emigrants who came here last summer. One of them, who has a family of seven, told me a few days ago that he did not buy a pound of provisions since he came here. The kindness and hospitality of the original settlers are beyond all praise. I believe there would be no real distress here, though one hundred families arrived among us last year, and if such a number were to come any year employment would be found for them. It is not true, as Grahame's letter says, that no work could be found last summer for the emigrants who arrived, and as to his remarks as to the quality of the land to be sold in this district, poor Grahame is no authority; perhaps my opinion, who has been here eleven years, and also travelled over Upper and Lower Canada, ought to be more correct, and I give it as my judgment that the eastern townships of Lower Canada are in some respects preferable to the best parts of Upper Canada. For barley, potatoes, and buckwheat nothing can beat it, and its grazing capabilities are remarkable—there is no part of Upper Canada to compare with

the eastern townships for raising stock. If we had here some emigrants from the agricultural parts of the Highlands or from the Lowlands of Scotland, I am confident that they would produce native stock such as no other part of Canada would compete with. Then the quantity of land; it will take a good many years of such numbers as Lews can send to fill it up. Provisions are very cheap and plenty—oats are sold at 1s. 6d. per bushel; barley, 2s. per bushel; buckwheat, 2s.; the very best beef at 3d.; flour, $5\frac{1}{2}$ dollars per barrel; and butter $7\frac{1}{2}$ d. to 10d. per lb. I think I can account for the dark picture Grahame drew of the country. As a general rule, new comers are not on their arrival in this country very good judges of what they see before them. The forest and everything that surrounds them is different from what they expect, and they are apt to fall into a gloomy mood which, however, the experience of a time drives away. But it is evident that Grahame wanted money from Sir James' factor, and thought the best way to get it was to tell a doleful tale. I hope, therefore, that his letter will not have the least effect upon Sir James' mind, and that he may continue his praiseworthy efforts to ameliorate the condition of his poor people by giving them facilities to come to this country as he used to do. I have caused a paper to be drawn up and signed by the new emigrants here, and the Rev. Mr Macdonald of Winslow, I believe, will also sign it.

JOHN MILLOY.

XLL
William
Mackay, Esq.,
Lews.

III.—EMIGRANTS' STATEMENT referred to in Rev. J. MILLOY's Letter.

We, the undersigned emigrants from the Island of Lews, understanding that some persons have been sending bad accounts of this country to Sir James Matheson by which he may be influenced in his action hereafter in sending emigrants to Canada, and wishing that every facility may be given to our friends at home which, from motives of humanity, Sir James has been accustomed to afford them, to leave home and to come to this good and large land, would beg to make the following statement of our experience and feelings in the matter, trusting these will have the effect of nullifying the influence the accounts referred to might have on Sir James' mind, and on those of our own friends at home who may be deterred from the course we would wish them to take, viz., emigrate here as soon as ever they can.

1. We have no complaint to make about the way we were treated on the voyage, and on our arrival we received the greatest kindness from strangers, especially in Sherbrook, where the Mayor of the town and other benevolent gentlemen took the liveliest interest in our welfare, and supplied our wants liberally, and on our arrival at a Scotch settlement in Lingwick we met our fellow countrymen, who welcomed us with the utmost cordiality, and invited us to their houses, where we enjoyed their hospitality till we took up land for ourselves and had houses of our own to live in, and since we have been treated with remarkable kindness, and had all our wants supplied.

2. In reference to the country we are well satisfied with it. The land is good, and plenty of it; in the township of Lingwick alone there is land of the best quality to be sold sufficient to receive 300 families, and as many or more in the adjoining township of Bury; and although all the inhabitants of Lews were to emigrate in a body, there is sufficient land for them here in the eastern townships of Lower Canada.

3. The climate is most excellent, the winter especially, though somewhat cold, is very pleasant and healthy. We never were healthier or happier, and the work of chopping is the cleanliest and nicest work we ever tried. We endured greater hardships by far at home from the cold than we do working in the woods here even in the coldest winter day.

4. The lands in Bury and Lingwick are owned by the British American Land Company. We prefer to settle on their land, though it is dearer than Govern-

ALL
William
Mackay, Esq.,
Lews.

ment land, because we had not to go any distance from the old settlers, who came here not more than twenty years ago, and because the land is very superior. The company charges us $2\frac{1}{2}$ dollars (about 10s. sterling) an acre in Lingwick, and the terms are very favourable. They do not push anyone to pay if he was twenty years in a place, as long as they get the interest, and they allow us to work for them on the roads, which they take as payment for the interest due on our land. Government land is only 3s. per acre.

5. Church and schools are quite convenient—the church about two miles, and to those furthest away not over five miles.

In conclusion, we wish that this report be communicated through A. C. Buchanan, Esq., emigration agent at Quebec, to Sir James Matheson, or his factor, and that our countrymen may be encouraged to follow us. The most of us sent encouraging accounts to our friends at home already, but we wish to make our views public to all our countrymen. We would say also that some of us have been working on the railway, but if we got one crop in the ground we will not need to work much after that. Those that are willing to work come to us, we have labour, and comfort, and abundance; but to all indolent people we say, this is not the place for you, for lazy folk don't get comfortable or rich in America no more than in other parts of the world.

(Signed as under)

his
NOR. × MACDONALD.
mark
his
NOR. × GRAHAM.
mark
ANGUS MORISON.
HEN. M'IVER.
DOND. CHISLOM.

ALEXR. GRAHAM.
his
EWEN × M'LENNAN.
mark
DOND. NICOLSON.
JOHN M'MILLAN.
MURDO M'LENNAN.
THOS. MACDONALD.

We, the undersigned, testify that the foregoing paper was explained in Gaelic to those whose names are attached thereto.

JOHN MILLOY, minister.
JAMES ROSS, postmaster.

IV.—From KENETH M'LEOD, County Bruce, to his MOTHER-IN-LAW.

CANADA WEST, *January 7, 1864.*

I have great pleasure in telling you that we got here very successfully. Our fare was paid—I had only 15s. to pay for the distance of thirty miles; and we are living with Angus Mackay as yet. I have also to tell you that you need not be mournful about your daughter coming to Canada, for she has been dealt with very favourably since her departure from you. We have all plenty to eat and drink, and hopeful prospects for the future. There is three townships surveyed by the Government for emigrants to go to next spring, and the prices are from 1 to 50 dollars. The land is on the shore of Lake Huron, and I gave in my name the other day to take up 300 acres. We can get to the land in spring by steam or sailing vessel. In reference to the country, I have no hesitation in saying that anyone who comes to Canada will be satisfied. I am perfectly satisfied myself. Women and girls from the old country will find a great change from hard and slavish work, for they do not require here to do outside work in the way they do at home.

There has been a great amount of false reports sent from this country in regard to cold and sickness which are not true in this part of Canada. We are within two miles of the church. Tell Mal. Mackay, Cralowick, that we

are living with his brothers, and they are very kind to us. They have plenty of the world, such as stock and land.

KENETH M'LEOD.

XLI.
William
Mackay, Esq.,
Lewa.

V.—From the Same to his Brother at Callanish, Lews.

MY DEAR BROTHER,—I have to inform you that I am well. I promised to give you the circumstances and conditions of this country. It is my opinion that the country is very prosperous. I have seen a year-old heifer having a calf, and a year-old ewe having a lamb. You can tell Norman that I think he should not suffer in the old country but come to Canada, because I do believe that he could do far better here. I may tell you that my uncle and the boys are very glad and satisfied since they came here, and say they would not go back again.

KENETH M'LEOD.

VI.—From J. H. POPE, M.P., to Mr A. C. BUCHANAN, Chief Emigration Agent, Quebec.

HOUSE OF ASSEMBLY, QUEBEC, 3rd March 1864.

DEAR SIR,—I have perused the letter of John Graham, late from Galson, and as you express a wish that I should inform you whether there were grounds for the complaints that he makes, I hasten to reply. The first matter of which he complains is that there is no employment to be obtained on roads, and that matters are very dull, and money scarce, &c.

As to employment, I myself employ in lumbering operations every season several hundred men during winter in Winslow and adjoining townships, and have made a point of giving employment to new settlers as much as possible, and have done so this season to several Norwegian and Scotch settlers. There has been none refused who applied to me under such circumstances excepting one man, viz., Mr Walker of Bury, who applied too late. Of course, in all new settlements, where people have little to purchase money with except labour, it is not very abundant.

Mr Graham goes on to say that he has applied to me for help. This is the first time that I have heard that he or any one of the emigrants who arrived last season were in want of assistance. On the contrary, when I was in Winslow about three weeks since, I was told by the Mayor and the Mayor of Whitton there, they were all well pleased and in want of nothing.

They both expressed their regret that so few had come there during the last season.

As to provisions being high, you may be your own judge when I give you the prices at their doors—flour, 6 dollars per barrel; beef, from 4 cents to 5 cents per lb.; oats and barley, 1 cent per lb.; potatoes, 25 cents per bushel.

Now, as to the quality of the land, there are thousands of acres of good farming land in blocks, which only require industry and energy to convert into good farms. I further say that no man willing to work for a living can possibly want for the necessaries of life in this part of the country now; for instance, when I was last in Lingwick, I was informed that five of last year's emigrants had settled in that township, that they had gone upon their lands with only their axe in their hand, that they at once commenced clearing land and making salts, that they have supported their families from the sales of their salts, and besides they would be in a position to get in a good crop from the land they had cleared while making their salts.

Finally, my opinion is that no industrious man will complain, but in this as in other countries, men must work for their living, and I only regret that instead of the fifteen families which came there last season we had not got 200, as there is abundance of good land and food. I am sure they would do well.—I am, &c.,

J. H. POPE.

XLI.

William
Mackay, Esq.,
Lewis.

*Copies of Letters from Several late Tenants of the Leus, who were Assisted by
Sir James Matheson to Emigrate to Canada.*

I.—From JOHN MACDONALD, Mayor of Whitton (late of Callernish, in Lewis),
to SIR JAMES MATHESON, Bart., M.P.

WHITTON, LAKE MEGANTIC, C.E., *February 21, 1866.*

HONOURED SIR,—I hope that you will excuse me for the liberty of addressing you a few lines from this section of the country, to give you a true account of how the Lewis people are getting along. I am sure it will be gratifying to you to learn that they are all doing well. Fifteen years ago, I, with a great many others, came to this country, and I may say penniless. That was a hard thing, as we thought at the time, but we got plenty to do, and were well paid for it; and I may say that we did not know what want was since. We have roads and churches, and a post office follows us right into the backwoods. You would be surprised to-day to see the people that left Lewis fifteen years ago; there are some of them no doubt better off than others, but they all have enough to eat. To give you an idea of how some of them are getting along:—Murdo Macleod, from Back, that came here about ten years ago, sold already this year two tons of grain, and when he came here was as green about farming as any of us. *The great help to a man here is to have a steady and respectable family; they are sure of success.* I don't care if they would not have a shilling in the world coming here. If they don't like farming they can learn any trade they like, and get pay enough to support them while they are learning their trade. The greatest drawback to our country people is their children going out to work through the country for other people, in place of remaining in the family, and working on their own farms. This I know from experience. When my father landed in Quebec with seven children, fifteen years ago, there was only one solitary half-crown in the whole family. We thought it was hard, while no one in the family could speak English but myself and my sister. After working for two years we took up a farm, and carried seed eight miles through the woods. We raised, the first year, provision enough to support the family, and since then we had enough and to spare. My father died two years ago, but before he died he saw the comforts of Canada, and that his three sons had 100 acres of land each, three yoke of oxen, twenty sheep, and four milch cows, besides pigs, poultry, and so on.

But, honoured Sir, we are under great obligations to you for the comforts we enjoy here, the great kindness you have done us in sending us here—only for you, it is likely we would be in Lewis yet. Through our own ignorance at the time, we thought that we were oppressed, but we learned to think differently of it since. It is a great blessing for any country that is over-peopled like Lewis, to have such a proprietor, and such a country as Canada open for them, and especially for Scotland and her loyal sons, where they have as much protection from the British Government as if they were in the Isle of Lewis; and a country, I may say, wholly governed by Scotchmen or of Scotch descent.

Those who don't do well in Canada, are those who expect to find money on the streets when they come, and those who think that their friends ought to support them through life, because they advised their coming here.

William Ross, from Shader in Lewis, came to my house lately and advised me to petition the Government to give the people provisions this year. I replied that, were I to petition Government, it would be to put them all in

jail for 'loafing' about, since he and others came to the country in the summer, feeding on their friends when they ought to be working for themselves and families, independent of any Government. This made him change his tune, and he admitted that he had already 600 lbs. of meal in the house, and 24 dols. of money that he earned since he came here.

Such men as these do a good deal of harm to this country, and, I am sure, send false reports home to their friends, and especially if they think that they can 'gouge' any money out of them.

Another class think more of a glass of bad liquor in a tavern at night than they do of their cattle in the barn, but I am glad to say that this class is few.

The statistics of the Municipality of Whitton were, in 1863 :—

Acres assessed,	.	.	.	2,781
Ratepayers assessed,	.	.	.	118
Assessed value of real estate,	.	.	.	\$23,000
Liabilities, 4 dollars, or £1 currency,				
Revenue, 260 dollars.				

In these figures there is nothing set down for stock, and I may also state that the only capital that came into this municipality was the *chopping axe*, and there is not a man in it but a Lewis man.

I hope you will excuse this long and tedious letter ; and wishing yourself and Lady Matheson, in this world and the world to come, all happiness,—I remain, very respectfully,

JOHN MACDONALD, Mayor of Whitton.

P.S.—Reference to J. H. POPE, Esq., P.M. This letter is at your pleasure.

II.—Excerpt from Letter,—JOHN MACLEOD, Richmond, Canada East, to Sir JAMES MATHESON, Bart., M.P., dated 23rd February 1866—a native of Loch, in Lewis, sent out by Sir J. Matheson.

As regards the Lewis people who were sent to the eastern townships, the greater part of them are in the same neighbourhood, and number, I suppose, 400 families, and upon the whole are all doing very well. It is true they have met with hardships in the outset, yet their circumstances are so much improved, and their prospects for the future so much better than they could have been at home, that they feel glad that they have removed hither; and they can never express the thankfulness they feel towards yourself for your kind part in their removal. They have two churches, with Gaelic ministers settled over them, and form the two largest Protestant congregations in the eastern townships.

The young folks of the settlement get plenty of work through the surrounding country; and so much are they thought of, as compared with others, that in two villages, not together as large as Stornoway, there are at present no less than fifty or sixty of the young woman employed as servant girls.

They felt quite proud of their old proprietor, when I informed them with what great kindness you treated myself on the occasion of my visit of last summer; and as for myself, I shall always feel myself under obligation for the friendly treatment which I experienced at your hand, and no less at the hands of Lady Matheson.

When at home, I intentionally refrained from encouraging any of the people to this country, fearing that they might blame me should matters turn out here contrary to their expectations. Yet I hesitate not to say that, could they be helped in the outset, few persons, if any, would have reason to regret emigration to these parts.

XLI.

William
Mackay, Esq.,
Lewis.

XII.

William
Mackay, Esq.,
Lews.

III.—Excerpt from Letter,—JOHN M'KENZIE, Lake Megantic, Canada East, to his Brother, RORY M'KENZIE, Back, Lewis, dated February 1, 1866.

I am sorry to learn that you have made up your mind to leave poor Marion alone. After all, I am sure that you will be better here than there. Your children will have a chance to learn a great deal more here than there, and their future prospects, as far as worldly matters are concerned, look a good deal brighter; and you have a good deal better chance to get along, with the strong family you have than me that is alone. But, after all, I sold already eleven barrels of oats, and gave ten barrels of potatoes to the hogs—besides keeping enough for my own use. I have one cow and one heifer. Nobody need be afraid but that he will get land in this country; there is enough and to spare. If every man in Lewis should come, they would get all they wanted for the nominal price of half a crown per acre.

IV.—FROM NORMAN MACKENZIE TO RORY MACKENZIE, Back, Lewis.

LAKE MEGANTIC, February 1, 1866.

DEAR BROTHER,—We got your kind letter, and were glad to hear that you were all well, as this leaves us at present.

You wanted to know the state of this place; you know that I can't give you as good an idea of this place as those that came before me; still, I ought to be thankful, and especially to the honourable gentleman that helped me to come here, as you know that I would not be able to come here without his help, for which he has my sincere thanks. I did not have very good luck since I came here. I lost two cows; but now I have the third one, and a heifer, and one sheep, and plenty to eat; and if I landed in Lewis as empty as I came here, I would not be likely to have any of these comforts. But what spoils a great many—they come here with great expectations, thinking they will get the gold on the streets. Such men ought to stay at home; this is no country for sluggards. If a steady, industrious man comes here, he is sure to get along well, and that in a very short time. One great blessing we have here, we have always plenty to eat, and some to spare. That is all I am going to say about the country, except the greatest blessing of all, we have the Gospel preached to us in our own tongue. Donald, Sandy's son, had a saw-mill up and working when I came here, and he has along with that a turning-mill. Murdo, my brother, has got a young son. Marion is with him still, and she gave me more comfort in the education she got than in all I ever had in Lewis. She writes all her own letters now. Dear brother, I pity you from my heart—at sea day and night, and I may say, nothing for it, &c.—
Your dear brother,

NORMAN MACKENZIE.

XLII.

STATEMENT by JOHN BLACK, Esq., Sheriff-Substitute, Stornoway.

SHERIFF'S CHAMBERS, STORNOWAY,
15th May 1883.

XLIII.
John Black,
Esq., Sheriff-
Substitute,
Stornoway.

In view of the Royal Commissioners visiting this island soon, I take leave to bring under their notice some usages, &c., connected with our fishing industry well worthy of examination, calculated as these are to cripple the industry not a little.

The Lews population, amounting to 26,000 or so, is a crofter population, with the exception of 3500 or so (mostly resident in Stornoway); and as Lews crofters are also fishermen (as a rule), and their living is mainly got out of the sea, it seems eminently desirable to remove all removable impediments in the way of the people making the most of the golden girdle that surrounds their island.

The usages, &c., I refer to are these:—

I. *The System of fixing many Months in advance the Prices to be Paid for the Fish that may be caught.*

In Yarmouth and other places in the south, the fishermen fish for herrings on their own account, and the fish when landed are sold to curers at the market price of the day (ascertained in some places—Yarmouth, for example—by the fish being sold by auction). In the Lews again, and other places in Scotland, the usual practice is for the crew to be, months before the commencement of the fishing season, engaged by a curer to fish for him for the season, the price to be received by the crew for the fish cured being paid at the outset (in the case of herrings at so much per cran, say 20s.). These prices are in addition to the 'bounty' noticed below.

This fixing of the prices many months in advance tends, I imagine, to reduce the average profit to the fisherman, as the curer, in fixing the prices, will be anxious to keep himself safe. Moreover, so far as the curer is concerned, the system tends sensibly to increase the gambling element in the industry.

The evils just noticed are perhaps unavoidable in small stations, where the absence of keen competition might place the fishermen at the mercy of a small number of curers. But at all large stations, like Stornoway, the evils seem quite avoidable.

Good might be done if, after inquiry, this were pointed out by the Commissioners in their Report.

II. *The Bounty System.*

When a curer engages a crew to fish for him during the season, he engages to pay them so much in name of 'bounty' (say from £20 to £50 in the case of herring fishing). This bounty is in addition to the stipulated price of the fish. The crew receive the bounty long before the fish is caught, and it remains their property whether the fish caught be few or many. It is alleged by critics of the system that this diminishes the zeal of the fishermen, e.g., if dog-fish are numerous, or if the weather be unpromising, the fishermen are tempted to remain at home, under circumstances that would not keep them on shore but for their having received the bounty.

XLII.

John Black,
Esq., Sheriff-
Substitute,
Stornoway.

The fish-curers, I believe, are practically unanimous in disliking the system, which entails a heavy burden on them. Attempts to terminate it by a mutual agreement to withhold bounties have failed through the disloyalty of individual curers.

The hands of honest curers might be strengthened in their efforts to put an end to bounty giving if, after inquiry, the Commissioners were to condemn the system.

III. *The Truck System.*

Our ling and cod fishing, as distinguished from the herring fishing, is mostly in the hands of local curers, who keep shops, in which they sell clothing, boots and shoes, fishing gear, pots and pans, groceries, provisions, &c. The boat from which a crew fish for a local curer has, with the appurtenances, been sold by the curer to the crew on credit, the crew undertaking to pay for it when able, the boat to become the property of the crew when fully paid for. During the progress of the fishing season each of the crew purchases in the curer's shop, on credit, the meal, clothing, and other necessaries required for himself and his family. A settlement takes place at the end of the season, *i.e.*, the fishermen are credited with the price of the fish delivered by them to the curer, and debited with the price of their purchases. Money may or may not pass on the occasion, and a 'balance' is struck.

The prices charged against the crew seem to be regulated by the conscience of the curer, for although the two parties have many disputes, resulting sometimes in litigation in the Sheriff Court here, it is a rare occurrence for the fishermen to question the fairness of the prices charged. As matter of fact, the prices are considerably higher than the usual prices. For example, a boll of meal, for which the curer might charge another customer 20s., would be charged 24s. when sold on credit to the crew. And the risk of non-payment is so great, that most mainland shopkeepers would probably consider the prices charged against the crew to be much too low.

In like manner, the conscience of the curer largely regulates the terms of his contract with his debtors the crew, and ill-natured people allege that accordingly the curer prefers that the crew should not be quite 'clear' with him, and that their boats should not be 'free.' In the case of *Murray v. Macleod* and others, decided in 1878 by my predecessor Sheriff Spittal, in the Sheriff Court here, a fish-curer sued a crew on what the curer called a running agreement, in the shape of a missive addressed by the crew to the curer, by which the crew bound themselves to fish herrings for the curer 'until 'we shall be clear of your debt, on the east coast, for 2s. less per cran than 'current prices given to free boats.' And even working under such a contract the curer probably found his transactions with the crew anything but profitable.

One result of the truck system is as curious as it is injurious to the fisherman, who, with such fatal facility gets goods from his employer on credit; for even if the fisherman chances to have the means to buy with cash, somehow he readily yields to the temptation to buy on credit, and so he pays, say 20 per cent. more for his goods than he need do.

Another result of the case with which they thus obtain credit is that, in the vast majority of cases, the crews are in a state of chronic indebtedness to the curer, and fish for him, year after year, with little prospect of ever being 'free.' And the fisherman, long accustomed to get this accommodation—trained as it were to walk on crutches,—fancies probably that he never would learn to walk without them.

As to the fish-curer again, he probably believes that the fishermen are too poor, and ignorant, and spiritless, to give him a chance of getting them to fish for him unless he will supply the needs of themselves and their families by advances either in money or in kind, and that he may as well do it in kind as in money, and thus secure the merchant's profit, the money, if paid to the fisherman, being wanted for immediate use. His crews are largely indebted to him, and encouraged by occasional gains in exceptionally good seasons, or moved by mere feelings of humanity, he continues to make advances, dreaming that some big prize will come some day, and enable him to recoup himself for all the lottery tickets he has paid for in the game of hazard, which is his calling. The big prize never comes, and the impoverished curer must be content, sooner or later, to write off as a bad debt the greater part of the many, many thousands of pounds representing the total indebtedness of the fishermen.

It is hard to say which victim of this advance system is more to be pitied,—the curer, whose capital is hopelessly sunk in advances to the crews, and who must go on 'throwing good money after bad,' unless prepared to throw up the whole business as a bad job; or the fisherman, who goes through life the serf of the curer, burdened with a load of debt of which he can hardly hope to get rid, a load which heavily weights the honest man in the race of life, and is a sore temptation to the man of weak principles to act a dishonourable part towards his employer.

It seems plain that the termination of the truck system would remove a part only of the evil—perhaps only a small part. But this is no reason why the truck system, if in itself mischievous, should not be attacked.

I take leave humbly to submit, for the consideration of the Commissioners, whether, after inquiry, they should not report that the system ought to be rendered illegal by some such statutory enactment as that contained in sec. 6 of the Truck Act, 1 & 2 Will. IV. c. 37.

IV. *The Combination of Croft Work with Fishing.*

As already mentioned, the Lews crofter is usually a fisherman. But the claims of his croft come into sharp collision with those of his boat. Our herring fishing is in spring, when the crofter is engaged in the cultivation of his crop. And the attractions of the croft, I imagine, tend to withdraw the crofter's affections from the sea, and so to deaden his energies as a fisherman. Of the vast and ever-increasing quantities of herrings caught in the seas that surround our island, the great majority are caught by strangers.

I submit it for the consideration of the Commissioners, whether it would not be better and more profitable for all concerned if the Lews fishermen, like their more successful brethren of the east coast, would confine themselves to fishing, limiting their territorial possessions, say to a house and garden with grass for a cow, and give up the crofts for the (greatly-needed) enlargement of adjoining crofts, to be occupied by crofters pure and simple. The expression of an opinion by the Commissioners in this sense would encourage those aiming at such a reform.

V. *Defective Harbour Accommodation.*

Except at Stornoway, there is no proper harbour in the island. Thanks to the enlightened views of the Fishing Board, and to the benevolence of Sir James Matheson's representatives, the harbour at Ness, our most important station for the cod and ling fishing, is being greatly improved, but there are other points on our coast where harbours for fishing boats are a great *disideratum*,—Carlurray, for example, and Valtos, and Bayble; and the hands of the

XLII.

John Black,
Esq., Sheriff-
Substitute,
Stornoway

XLII. Fishery Board might be strengthened if this were indicated by the Commissioners.

John Black,
Esq., Sheriff-
Substitute,
Stornoway.

With reference to the various points I have noticed—particularly the truck system—I may be permitted to suggest that the Commissioners, while in this island, should examine (1) one or two of the leading local curers; (2) one or two of the leading curers who come to the island from other parts (England and the east coast of Scotland); (3) some of the crofter-fishermen, especially Ness men; (4) Mr Mackay (Lady Matheson's factor); and (5) one of the Stornoway bank agents, say Mr Macleod, who was at one time a fish-curer himself.

Our seas team with fish, the value of which might be indefinitely increased to our islanders; and, with all their faults, a lovable race those islanders are, and well worth careful conservation. I do not believe that legislation can do much to help them; but it would be useful if a body like the Royal Commissioners were to draw attention to removable defects, and hint to the crofter the urgent need of industry, energy, and self-reliance for himself, and of education for his children.

JOHN BLACK.

XLIII.

REMARKS upon the Land Question in general, and in the Island of Lewis in particular, by the Rev. DONALD J. MARTIN, Free Church Minister, Stornoway. XLIII.
Rev. Donald
J. Martin,
Stornoway.

(See Evidence, pp. 875-1165.)

My age is 36 last birthday. I am the son of the late Dr Donald Martin, sometime proprietor of Roshven, parish of Ardnamurchan, lately tacksman of Monkstadt, Isle of Skye. I have a competent knowledge of Gaelic. I have resided in the Island of Lewis since December 1875. It was not to-day, nor even in connection with the Commission, that I began to think of the land question, or of the condition of the crofter population in the Highlands, though I have had my attention drawn to the subject more closely of late in connection, firstly, with the destitution of last winter, and, secondly, the appointment of a Royal Commission. I have come to any conclusion upon the matter entirely from the workings of my own mind with regard to the question, and from facts within my own knowledge, apart from any agitation from without or within this island, or the arguments of any person, except so far as these tended to throw light upon the subject. In regard to this I may say that I have got more light in controversy with opponents of some of my views than from some of the professed friends of the crofters, for in examining into counter statements and their foundation, I have been led at times into a confirmation of my own views of the matter. I was far, very far at first from approving the action of either the Braes or Glendale crofters, but when upon the back of this agitation came the general destitution due to one storm of not over great severity, and the failure of one crop, I was awakened to the fact that underneath both these things there lay some great reason, some principle. We had only surface manifestations in these effects, the causes of which had to be found out, as also the remedies, not, as subscriptions and charity, surface ones, but such as would cope with the causes. I could not believe, and I do not yet believe, that either of the causes assigned will account for the effects. It has been said, and perhaps such views may have some weight with the Commission (I hope not), that the manifestations in Skye were due to agitators alone, and that the destitution all over was due solely to the one bad season. To my mind these reasons are not sufficient nor satisfactory, because, while giving all due allowance to both these factors (and no reasonable man can deny their existence), yet they do not account for all nor even most of the effects. Of this the appointment of the Commission itself is a proof. It proves that the Government of the day saw cause for inquiry. An old proverb says, 'there was water where the stirk was drowned.' Taking even the most unfavourable view of the action of agitators, how could such manifestations of determined and combined assertion of rights to be secured and grievances to be redressed have been either got up or maintained without a sense of wrong and suffering, long smouldering but suppressed. It is not a thing of to-day this feeling in Lewis, and this demand by the people for land once theirs. The Rev. Hector Cameron told me that as far back as nineteen years ago, when he was teacher of the Ladies' Association School in Park Loch

XLIII.

Rev. Donald
J. Martin,
Stornoway.

the feeling was almost as strong as it is to-day. That would, I think, have been about the time that Sellar took the farm, the lease being, as at last Whitsunday, out, the circumstances thus corresponding exactly with those of this year. Again the secession in Uig from the Free Church was as much if not more of a land question than a church one. These are the two spots in Lewis, Park and Uig, in which at this time the move for land began, and the people there both took action before there was any word of the matter either by agitators or others. How again could one storm and one bad season produce all this general want? It stands proved, to my mind at least, whose workings I here give to the Commission, that under all this agitation and this general destitution there lie causes to be explained other than surface or present, and remedies to be applied other than superficial or temporary.

My observations throughout the Highlands have led me to the conclusion that most, if not all, of the lands that exist, either as arable or pasture farms, have been made what they are by the crofters that once occupied them and redeemed them, in part at least, from waste throughout their long term of occupancy. I believe that the crofters have in the past been the real improvers of the Highlands, for even where the proprietors have subsequently improved you find the foundation of that laid by the crofters; and where that has not been the case, but where the proprietor has worked directly upon the primitive bog or even 'cul,' the work has been altogether or in part a failure. This was acknowledged by Mr Mackay, and I have heard it said, but the truth of it I cannot vouch for of course (*the Commissioners may perhaps know*), that the Duke of Sutherland now repents not having given out the ground in Sutherland to those who would have in time taken it in, in place of himself spending so much upon it, the return for which he will never get. As to the Lewis, no greater mistake in the interests of the crofters themselves, not to say of truth, could have been made than to assert that Sir James never did anything for this island. Figures and facts prove the contrary; Sir James must get his due. But these improvements were in great measure a mistake according to the chamberlain's own evidence—a mistake not of heart but of head. I find the people, as a whole, ever ready to admit the fact of Sir James's expenditure for improvements' sake, and also his kindly intentions in all these. What the people at least meant in denying such improvements or such efforts for their good was that the benefits of such never reached them directly—in other words, that the way in which the land improvements were carried on was a mistake. That is my own opinion, for I firmly believe that if Sir James were alive to-day he would be the first to acknowledge his mistake, and also, so far as in his power lay, to remedy it. My belief is, that if instead of spending his money as he did with the noblest of intentions, he had devised a scheme either of loan previous to or of compensation after improvements to the people themselves, more land would by this time have been reclaimed, more permanently improved at less outlay, and with the money returned by this time in rent, interest, and land value. Is it not a fact that farms from which small tenants have been removed in the course of a few years deteriorate? Monkstadt, as attested by the rigs, had once been all occupied by crofters. It is so in this island. Park, the Uig farms, Dalbeg, Galson, &c., were all once occupied by crofters; even the rich parks about the town were once so held. There is another thing I remember in connection with my father's farm; there was attached to it a narrow but rich strip of hill pasture between the hills of two crofter townships, Totescore and Graulain. So little return did my father get from the hill that he had to give up the lease. The case came to this, that either of two things would need to happen—either that the crofters of Graulain should get Linicro, or that

they should be removed and their hill and township be added to the tack. This latter, of course, my father would not consent to, neither would the landlord give him off the rent of the hill; so he gave up the lease. What happened? I do not know how it happened, but the crofters of the two townships opposite, Hole and Graulain, were removed (Mr Macdonald, factor, said they were not evicted), and sent, I do not know all where, but some of them were, I know, crowded on to the Kilmaluag township, and the next time I passed through Kilmuir the tacksman of Monkstadt's sheep and cattle were browsing amidst the ruins of the once well-known hamlets of Hole and Graulain. This is only a specimen of the way in which matters have been moving. It is not for me to dictate to others, the possessors of the soil, but my opinion, in looking back, is that the process should have been reversed, and that instead of the tacksman getting those townships with their hills, the townships should have got Linicro at a fair rent. In my view it is a mistake having arable even, but especially grazing farms, in the vicinity of crofters, except under two conditions:—first, that the crofters have sufficient run to render trespass on their part unnecessary and therefore inexcusable; and secondly, that the two be properly fenced against one another. What one deprecates is, that, as has hitherto been in most cases the case, the matter has almost always been decided against the crofter. That has at least been the tendency, which state of matters of course bears an explanation. Two things lie at the root of this:—(1) the better rent that tacksman give, or rather have given; (2) the saving of trouble and expenses in connection with the lifting of the same,—or, as the Duke of Argyll put it, the pleasure to the landlord of getting his rent in one large sum twice a year without any trouble or expense. In the sequel I shall notice both of these. Another thing I should notice in connection with the question is that of rotations of crop. As a fact, for I used often to notice it as a boy, and my father often remarked it, the crofter next us, John Macdonald, Hole, had his rotation as regularly as my father, though even John did not make the most of his ground, but his good sized holding enabled him to have a rotation and graze his horses and cattle without trespass or need of it.

As to Lewis and its problem, this can be stated shortly. It is not a question of rent at all, that is to say, of price per acre. I think Mr Maciver, Uig, was entirely wrong in his view. I believe there is no land in Scotland cheaper per acre than Lewis land, and as I consider that in this land question the interests of landlord and tenant should be shown to be identical, as I believe they are, I deprecate any reduction of rent, and am of opinion rather that with more land per family the crofter could and would give more per acre, so that so far from the rent being halved, it could at any rate be maintained at the same figure, or even raised. It is entirely a question of the quantity, not the price, and in some instances the quality. I may have an acre for nothing, but I could not live on it; but give me, say one hundred—some arable, some pasture, and I could not only live, but afford to pay a price per acre remunerative to my landlord. As you diminish the holdings you necessarily make the little the crofters have to pay a burden; but as you increase them you necessarily lighten the burden of the rent, even though it be higher per acre. It is a question at present of congested population and how to relieve it. Here is the thing at a glance. In 1846 the population of Lewis was about 18,000, in 1883 it is 26,000, or about half as much again, though they occupy less, or at any rate, not more ground than in 1846. I cannot lay my hands on the acreage under crofters in 1846 as compared with 1883; but looking at Uig removals and those of Galson, I think it would show that not only has there been a natural increase of popu-

XLIII.

 Rev. Donald
J. Martin,
Stornoway.

XLIII.

Rev. Donald
J. Martin,
Stornoway.

lation, but also a decrease of-area. The Commissioners themselves might inquire into this. Let us suppose the area to be the same, then we have a population half as much again as in 1846 upon the same area.

[I need not here enter into the question of the subdivision and how it came about, whether by blame of people or estate management, or both combined; what we have to do with is the present state of matters, however brought about.] So far we are all agreed; but when we come to fix upon the remedy, then come difference and difficulties.

I. The crofters own remedy and demand is more land. There is objected to this—

1. That there is no land.

2. That even supposing there is land, it is inexpedient to extend the crofter area.

Let us examine these separately.

Obj. 1. That there is no land.—Those that say there is no land must mean no waste, or rather unoccupied land. This the crofters grant, but point to the large arable and pasture farms, especially those once under crofters; and I think as thus put, especially as they have in their request for land regard to present leases, the fact of there being land is indisputable and undeniable. Whether there be enough is another question. My general answer to this last would be, let it be honestly tried.

There is one serious charge I have myself to bring against the present management, and that is that no attempt has been made even to try any remedy in this direction, and I think that much of the irritation on the subject among the people is due to the stubborn refusal even to look at their demands with which their appeals have been met. I myself think that if there had been some concessions hitherto, or even now, it would tend to allay the irritation, and would also lead to calmer views of the question of voluntary emigration as betraying a kindly and honest attempt as far as possible to meet the people's request for more land in the place of their birth. To give an answer to the cry of 'more land' the direct and curt reply 'no land,' and that to men that can see every day they rise plenty of land where their forefathers and some of themselves lived and walked, is surely unwise—a way by no means to still that demand, but fitted rather to make it go beyond all bounds—the damming up of a stream to stay it for a time, but only to have it break forth in lawless courses. To do as at Park, in the very face of the demand; and without even giving the people an opportunity of offering, to give the land asked to two of themselves that had enough already, seems to me still more unwise. The people use their eyes and cannot help seeing land—and good land too—that might be given. I have never so spoken to the people themselves, but I have to Mr Mackay himself. I did so at the relief committee, and I cannot help laying much of the blame of the irritated state of the people at the door of this obstinate refusal even to entertain their demands—demands moderate and reasonable enough at first, but which, being denied and unmet, threaten to go beyond all bounds. A little concession would have gone far to allay this irritation. Perhaps this refusal even to entertain proposals by the crofters, as in the Park case, may arise, and I believe has so arisen, from irritation on the other side. After the meeting at Lochs of the Commission I made some further inquiry about this matter of a threat referred to in Lady Matheson's letter, and I find that this had reference to a P.S. to the crofters' last letter, in which, I am sorry to say, some language that might be construed into a threat, but which, I am given to understand, was not meant as such, was employed. This naturally irritated her Ladyship, but I do hope that

both she and the chamberlain, to both whose kindly interest in the people otherwise I have to testify, will pass over this, and taking the needs and offers of the people into consideration, will meet their seemingly reasonable demand for more land.

But Mr Mackay stated publicly that he had reasons for not giving more land, that they could not give the rent (though they never got the chance), and that he did not want to extend the crofter area. Yes; but that is not quite the same as saying that there is no land. There is none he is willing to give to crofters, but that is a very different thing from saying that there is none, in fact this confession of his is an admission that there is, and so by his own evidence we must place his refusal of the request for more land not under the first objection that there is no land, but under the second, that it is neither profitable nor expedient to increase the number of crofters. But before noticing this second objection, I beg to submit to the consideration of the Commission some calculations based on Mr Mackay's own figures, showing that there is land that could, in part at least, if not in whole, meet the demand for the present:—

XLIII.

Rev. Donald
J. Martin,
Stornoway.

PARISH OF UIG.			
Holders.		Acres.	Rent. Rent per acre.
Crofters,	. . . . .	457	£1533 5½d.
Cottars,	. . . . .	147	
Total,	. . . . .	604	
Tacksmen,	. . . . .	39,920	1274, 15s. 7½d.
Forests,	{ Morsgail, 15,872. Scaliscro, 2875.	18,747	1100
Total,	. . . . .	122,496	£3907, 15s.

STOCK.

	Total cattle.	Acres per head.	Sheep.	Acres per head.
Crofters, 1881,	2386	27	8097	7½
„ 1882,	1989	32	7489	8½
Tacksmen, 1881,	434	92	4232	9
„ 1882,	333	120	3406	12 only.

ANALYSIS.

Four hundred and fifty-seven crofters have at present by this calculation 140 acres each between arable and hill, and putting crofters and cotters together (604), about 100. But we must take into consideration the way in which the acreage of the crofter is made out. The land of the tacksmen and the forests laid aside are definitely known, then the remainder all accounted as the tenants', including peat-land, &c. Tacks and forests would give the 147 cottars 400 acres each. Taking total of 122,496, it would give 604 lots of 200 acres each at say £5 = £3020, and £900 for the shooting only, and leave the present rental £3920, or leaving forests and placing cottars on part of tacks would have say 150 lots of 200 acres each, leaving 9920 for large farms and the forests intact.

XLIII.

Rev. Donald
J. Martin,
Stornoway.

Holders,		BARVAS.		Acres.	Rent.	Rent per acre.
Crofters, . . .	812	} eq. 900	6,654	£2330, 4s. 6d.	7½d.	
Cottars, . . .	87					
Dell,		} 315	160	7290	10¼d.	
Galson Tack,						
Glebes, &c.,						940

STOCK.

	Horses.	Cattle.	Acres per head.	Sheep.	Acres per head.	
Crofters, 1881,	549	3591	24	14,238	5	1 cow and only 5 sheep
„ 1882,	580	3421	24	13,795	5 nearly	on every 24 acres, or 4 cows and 20 sheep on every 96 acres.
Tacks, 1881,		71	102	1643	4½	1 cow and 23 sheep on every 102 acres.
„ 1882,		37	197	1816	3½	1 cow and 56 sheep on every 197 acres.

ANALYSIS.

This gives to the 812 crofters average lots of 94 acres, and Galson 7290 would give lots of about 83 acres to the 87 squatters.

LOCUS.

Holders.	Acres.	Rent.	Rent per acre.
Crofters, about 600, . . . }	55,601	£2075, 17s.	8½d.
Cottars, about 250, . . . }			
Tacks,	60,355	1176	4½d.
Forests,	16,000		

STOCK.—Have not got this, but fancy that like rest it would show overstock.

Have not got the exact number of crofters and cottars, but above approximate average acreage per crofter about 70, with cottars 60. Surely out of the 76,000 acres unoccupied by crofters land could be got to provide for some, if not all, the 250 above.

STORNOWAY.

	Acres.	Rent.	Rent per acre.
Crofters, about 600 . . . }	44,747	£2491, 1s. 6d.	1s. 1½d.
Cottars, about 250 . . . }			
Tacks,	16,851	1102	1s. 3¼d.

STOCK.

	Cattle.	Acres per head.	Sheep.	Per acre per head.	
Crofters, 1881,	3074	14	5732	8	That is the crofters have on their ground
„ 1882,	2805	17	5880	7¾	
Tacksmen, 1881,	192	87	2047	8	} six times as many cattle and same number of sheep as tacksmen, and horses besides, per acre.
„ 1882,	282	86	2007	8	

SUMMARY.

	Acres.	Rent.	Rent per Acre.	XI.III. Rev. Donald J. Martin, Stornoway.
Crofters, . Lochs, .	55,601	£2075, 17s. 0d.	8½d.	
„ . Stornoway, 44,747		2491, 1s. 6d.	1s. 1½d.	
812 (87) . Barvas, .	76,654	2330, 4s. 6d.	7½d.	
457 (147) . Uig, .	63,829	1533, 0s. 0d.	5½d.	
Total, . . .	240,831		Average, 8¾d.	
Tacksman, . Lochs, .	60,355	£1176, 0s. 0d.	4½d.	
„ . Stornoway, 16,851		1102, 0s. 0d.	1s. 3½d.	
„ . Barvas, .	7290	315, 0s. 0d.	10½d.	
„ . Uig, .	39,920	1274, 15s. 0d.	7½d.	
	124,416		Average, 9½d. nearly.	
Forests, . Lochs, .	16,000			
„ . Stornoway, . . .				
„ . Barvas, . . .				
„ . Uig, .	18,747			
	34,747			

Acreage not under crofters, total, 159,163 acres.

Grand total about 400,000 acres, would give 100 acres to 4000 crofters.

Present average for 2881 on rent roll = 84½ acres.

The 124,416 acres under tacks would give 155½ acres to 800 „
 124 „ 1000 „
 100 „ 1200 „

leaving forests intact.

REMARKS.

Lots smaller on east side, and a larger cottar population, and also the price per acre, more especially in Stornoway. All this points to the advantage of a good seaboard and ready market for sea produce. But for the sea, evidently the east side would be worse off than west. Develop fishings more and you can have a class of cottars living entirely by the sea. Develop the fishings all over Lewis, and it will, with the land, easily bear its inhabitants at present. Overstocking evidently a weakness of the crofters. The number of horses again is simply ruinous and ridiculous. Surely more land could be given when little more than the half is held by the crofters.

Obj. 2. And now I come to the second objection to give more land to the crofters, viz., that it is both unprofitable and inexpedient. (1.) It is *unprofitable* as they cannot pay the same rent for the land as the tacksman or sportsman. Now, looking at the above statement of rent per acre in Lewis, the average per acre paid by the crofter is only ¾d. per acre less than that paid by the tacksman. My endeavour will be to show that apart from the question of the respective qualities of the land held by crofter and tacksman respectively—supposing them to be (a thing the crofters at any rate dispute) of equal quality, that the disadvantages under which the crofter labours will sufficiently account for this, and that the removal of these would be likely to place him, not only

XLIII.

Rev. Donald
J. Martin,
Stornoway.

on a par with, but perhaps above the tacksman. I will but mention two of these disadvantages in Lewis—(1) the distance of the crofter from his hill pasture; (2) the restrictions under which he is placed with regard to its use.

(1) As to the first, while the tacksman's tack stretches continuously from his own door without interruption, right up from arable around his own door to the hill beyond, so that he can leave his milk cows about his door, or out in the hill as he likes, and can leave the most of his stock out in the hill summer and winter, thus getting the use of the hill grazing without break by season or intervening lands; the crofter has to send his cattle out miles to reach the hill pasture, and of much that has been put down as his, and in regard to which he has been quoted as paying less rent per acre than the tacksman, he gets the use of it only for a limited time in the year, viz., a few months in summer (rule 6). Are there any such restrictions on the tacksman? Has he not got the run of his hill all the year round, bringing his stock down to the low lands in severe weather, and that easily, as he has only to work them up and down on the same continuous stretch. Take Bernera, for instance, where they have to ferry the cattle to the hill pasture. Take Barvas, where the cattle go out some of them four miles or more in the morning, and back the same length at night, so that they look more like race horses or roadsters than like milch cows. Take the district of Point (Knock-Garrabost, Swordale, Aird, Portnaguirean, &c.), beginning at Portnaguirean up to Knock. Their hill pasture or Airidhean lie from four to six miles out of Stornoway along the Lochs and Uig road, some of them having to send their cattle fifteen or sixteen miles along the high road to reach the summer pasture. The morning that the Rev. Hector Cameron, Back, and I drove over from Stornoway to attend the meeting of the Commission at Breasclete, we passed the Point sheep going out to the hill pasture, the ewes with lambs shorn at that early date, because they were going too far from home to give the men the opportunity of clipping them before they left for the east coast fishing. Let me picture the march of these sheep to their pasture. After leaving Garrabost six miles from Stornoway, they had first to pass the farm of Agnish on the right, then the farm of Holm on the left, on through Stornoway with its rich pasture parks, past the manor farm, past the rich parks outside the castle grounds held by Sellar of the Park, past the mill farm, through the town peat-lands, till at last they would reach their own hill pasture after having traversed from twelve to fifteen miles of hard road. To me it is simply marvellous that those poor crofters manage to pay within 2d. per acre of what the tacksman of the same parish pay whose pasture stretches from their very door, the park gradually passing into the hill. Place the crofters on the same footing and you are safe in saying they will pay penny for penny what the tacksman pay, or even more.

(2) Take again the restrictions laid upon them. It was asked again and again of them why they had not availed themselves of the offer of leases contained in the rules and regulations of 1879. I would wish the Commissioners to study these and the conditions annexed. In the very offer of a lease the observance of all these rules and regulations is stated as a condition of the granting of the lease at all, and in article 25 it is distinctly stated that the lease, *ipso facto*, ceases in the event of the tenant contravening 'any of the foregoing conditions, rules, and regulations.' Now, at the outset, I always thought that conditions of lease were settled at the time of negotiating the same and not before, and that the conditions thereupon agreed were entered in the lease to be observed in the future, not before but after the granting of the lease; but here the conditions must be fulfilled to the letter before the lease could be granted, the party granting to be

the sole arbiter as to whether these previous conditions had been fulfilled or not. Passing this I come to the conditions themselves. I believe they are such as no tacksman would ever agree to nor landlord ask him to embody in his lease. Take rules and regulations 5, 6, 13, and 14; would any tacksman or ordinary farmer consent to have the estate appoint his herds? or walk his own hill only on certain days mentioned by the estate? or only burn and pull heather as allowed or directed by a gamekeeper? I venture to say that tacks would be unmanageable and unprofitable on such conditions, and yet the crofter is handicapped with all these restrictions, and notwithstanding it all, he runs a neck to neck race with the tacksman. Remove these restrictions and disadvantages, let the crofter have equal advantages with the tacksman, and he will, I am bound to say, equal if not outstrip him. The case stands thus at present; while the tacksman has an uninterrupted run all the year round with restrictions not worth speaking of, the crofter has the connection between his home and hill pasture interrupted, sometimes by miles of intervening farms, pasture, or forest, and in many cases only gets the use of it for a few months in summer; besides that, in that same use he is restricted by regulations never imposed upon the tacksman.

(3) Add to this that the tacksman gets a good dwelling and steading built for him; the crofter, though in some instances he may have got improved lands, has never had anything done for him in the way of giving him a good house. In any case, even that of lease, he himself would have to build it.

(4) The tacksman occupies under a lease-tenure; the crofter is a tenant at will. So far in regard to the question of profitableness.

Now as to the inexpediency of increasing the crofter area. I think that general statements in regard to the morality and physical quality of the Highlander, when true, are not irrelevant to the matter in hand; they show the desirability of nurturing amid their native hills such a sturdy race to form recruiting grounds for our civil and professional life, and that sheep and deer, however valuable, should not even from an economical point of view be allowed to take the place of sturdy Highlanders. Most landlords, I suppose, will grant that if it be profitable to give crofters land, it will likewise be expedient. By trying to suggest ways in which it would be profitable, I have thus so far tried to meet the landlord's objection on expediency, but many landlords, I am happy to say, are not content with having their own advantage made clear, they desire also that it be shown to be to the people's advantage. I believe many good and kindly landlords, and others interested in the crofters, object to increasing of the crofters' area, because they think it would be unprofitable for the crofters themselves, and that in their own interest they should all seek land and pastures across the sea. Now I must say that I think the giving of more land throughout our own Highlands would not only be to the profit of the landlord but to that of the crofter. One thing I missed very much in the crofters' evidence in Lewis was the evidence of some of the better-to-do among themselves, that it was possible not only to live but to live comfortably, and not only comfortably but profitably on the original unbroken lot. I spoke to some of them about this, but their answer was that even the unbroken lot was not so profitable as formerly, because the pasture land attached was overstocked by the subdivision of adjoining lots. This I saw so far as it went was unanswerable, viz., that these whole lots were more profitable when all in the township were also whole; but that did not satisfy me that, even still amidst all the overcrowding, they are not to this day profitable. I believe it is so, though it may not long be so. This I am sure of, that if the townships were thinned out to the original allotment, say of 58-61, and those thinned out provided for by land within the kingdom or across the

XLIII.

Rev. Donald
J. Martin,
Stornoway.

XLIII.

Rev. Donald
J. Martin,
Stornoway.

sea, the crofter population remaining on the old and transplanted to the new under the new conditions would be comfortable and profitable. In my opinion, under new conditions it would be profitable and expedient to landlord and tenant alike to extend the area of the present crofter population by thinning out the overcrowded townships to their proper number, and providing the cottars and those of the crofters thinned out with land under strict rules against squatting (except at seaports). One other thing I must in justice say, if the crofters are to get more land they must undertake to manage their lands better and have better stock. This I have no doubt they would do under better conditions and encouragements. The old system of rigs could be abolished except in very wet places. They should learn to sow both corn and potatoes more thinly, and not as at present sow corn as if they were feeding hens, and plant potatoes as if they were dibbling beans. I have no doubt but that restricted holdings of arable land gave rise to this, the poor man thinking that the more he put in the more he would take out. If more land were granted this would cease. Again, as to stock, they must learn to keep fewer and of better breed. At present, more in Skye I think than in Lewis, they cross and cross and cross till the result is an animal that would almost compete for one of Darwin's originals. The order of development has been as it were reversed. The corn and potato seed should in the same way be renewed periodically. It is really wild oats that they grow in some places, and the potato failure last year was due, I believe, to the exhaustion of the potatoes more than to anything else. I would expect this and much else to pass away under a liberal and wise readjustment of the land and its laws.

II. *Emigration.*—But what are you to do with the surplus, supposing that there be not land enough within Lewis to give all a due share, or supposing there be not a surplus now, what will you do with the surplus of future years? Every sensible man must answer 'emigration' as one of the outlets. The only two points in regard to this on which any difference can be are (a) the place, (b) the time.

(a) *Place.*—When emigration is spoken of, why are America and the colonies alone thought of? Surely, before peopling other lands we should people our own and exhaust its resources. Why not try migration to other parts of the Highlands. Though the population in Lewis has increased so much, the population of the Highlands as a whole has decreased. There are large tracts on the mainland, once occupied by stalwart Highlanders, now occupied by sheep and deer. Why not transplant a number of sturdy Lewis men into those parts. In other words, could not the present population of the Highlands be so distributed over its surface as to avoid the necessity of emigration to foreign lands, and conserve for our own nation so much strong intellectual and moral fibre. I think that at least it could be tried, and that before the other is finally resorted to, for that the other must come sooner or later is certain, but then this leads to the second question of—

(b) *The Time.*—Is any wholesale emigration across seas expedient at present? (And in regard to this I must say that in Lewis it is something on a large scale that is needed.) I give the Commission my unbiassed view of the matter. I believe we are on the eve of a large voluntary emigration, but not till the land question at home is settled, and there is afforded to the people a *bona fide* proof that an honest attempt has been made to give them land in the place of their birth, and that yet there is no place for them. Let what of land can be given them at home be given them. This would improve their circumstances, lead them to attend more to their children's education, as also to give them some support when leaving. All these things combined—allayed irritation, improved

circumstances, better education—would lead to a stream of voluntary emigration that would of itself keep down the pressure, and gradually thin out the Highlands. How do matters stand, in fact, at present? Is it not as you rise in the social scale that you find the willingness to emigrate? The possession of education and capital account for this. The example of tacksmen's, and merchants', and gentlemen's sons has been quoted to the crofters again and again. Do those quoting such examples not see that it works the other way—that the answer it suggests logically is: Raise the crofters by bettering their condition, enabling them to educate and support their sons somewhat as those quoted to them are able to do, and then these sons will emigrate of themselves? Do not those examples cited go against anything like a wholesale emigration at present till you have first raised the crofter in the social scale by bettering his circumstances in his own land, and then his sons and daughters, having got education, will emigrate, and will not be afraid as at present of leaving him behind. I myself, I may say, in Stornoway here, and a good deal in connection with my own congregation, come in direct contact with the present stream of emigration. Sons of the better crofters come into town to shop or office, and not till they have got themselves brushed up in connection with our Young Men's Mutual Improvement Societies and such like institutions do they venture across sea; but when at last they do go, it is to succeed. But send a poor ignorant crofter or crofter's family out, and the chances are ten to one that they will be as poor beyond seas as at home. [And here I may say that I do not agree with the view of emigration in families. I doubt if it has succeeded in fact. The only result has been the founding of Celtic colonies beyond the sea, retaining and perpetuating there all those social defects that mark the race in their native land. Isolate the Celt, cut him clean off from all his former associations, and he makes a good colonist. The old people carry with them the old habits, the unthriftiness, the untidiness, &c.; but let the young people go forth, and they will begin under new conditions a better mode of living.] Connect this with what I have said about the original crofters on undivided crofts as being well off. It is from the homes of these that the present stream of emigration issues. Increase the number of these by bettering the home condition of the whole crofter population, and you have a stream of voluntary emigration large enough to drain off any future surplus of population. As a preliminary to all this, you must extend the crofter area.

III. *Development of the Fishing Industry.*—The real riches of the Lewis lie in the sea around. My ideas on this point correspond with those on emigration. In the present undeveloped state of the fishing, I fear that you could not have a class without land at all, entirely closed in to the sea for their livelihood, but the clear tendency of things is in that way. I look for the formation of such in time, and indeed I may say that some of the people themselves are awakening to the fact that their east coast friends, who have no land at all, but who are dependent on the sea altogether, are better off than themselves, who have their attention divided between sea and land. I heard one man advocate the giving up of the sea altogether, and their getting as much land as would keep them without being necessitated to go to sea at all. This is mere nonsense, if it be not laziness. The matter should be reversed, and then it would leave more land for those that could give their undivided time to it. The statistics given above will show that the holdings on the east side of the island (the fishing side) are smaller than on the west (the more agricultural side). My difficulty is about the possibility and desirability of establishing such colonies of fishermen at once. I do not think it would be wise at present, except on a very small scale; but

XLIII.

Rev. Donald
J. Martin,
Stornoway.

XLIII.

Rev. Donald
J. Martin,
Stornoway.

develop the fishing facilities by harbours and more direct communication with the markets in the south, along with the abolishing of the truck and credit system, and I believe that in the course of time there will grow up around the fishing harbours a class of fishermen dependent almost, if not altogether, on the sea fishing.

Temperance.—One gentleman who read a paper before you, among other things sneered at her Ladyship's efforts on behalf of temperance. Lady Matheson has done noble service in this cause, for which all that desire the good of their fellow creatures are grateful. Though I differ from Mr Mackay, and I suppose from her Ladyship too on the land question, still I hope to do so in a gentlemanly way, and I seek, while fearlessly stating my own views on the matter, and while advocating certain reforms and concessions, ever to do justice to the kindly interest in the people's welfare both of Mr Mackay and her Ladyship in this and in other respects. It is often said of Highlanders that they are too fond of whisky. Now I am not going to defend them in the quantity they drink. They would in my opinion be better and richer if they drank none at all; but this I say, that they drink less—Lewis at least—in proportion than elsewhere. Taking the Lewis drink bill at £15,000 per annum, you have about 12s. 6d. per head of population. Taking Scotland as a whole, you have about £3 or above. In the Point district, you have a Total Abstinence Society 1000 strong, and in Back one of about 300, and all over the island there are eleven such societies in all. Excess in drink does not lie at the root of their poverty, though certainly £15,000 is too large a sum, but into this total must be thrown the consumption by strangers in Stornoway. Temperance sentiment and practice are gaining fast hold in the Highlands, but not till the supply be stopped will the demand entirely cease. Abolition is the real cure. Again, certain quarters we have read sneers about the Free Church and the Sustentation Fund. If Free Church ministers were to consult their own pockets, as it is so often sneered they do, they would advocate the emigration of all the poorer crofters to-morrow, for by the working of the surplus fund of the church, the fewer you have of non-contributing adherents the likelier you are to get the surplus. But again the Sustentation Fund over the whole island is only about £1100. Of that £400 is contributed by the two Stornoway congregations, leaving only £700 to be contributed by the remaining 22,000. These two charges are the only self-supporting ones in the island and their ministers are the only ones that have supplements. Of the eleven congregations subscribing, only one (my own) gives up to 6s. per adherent, four come up to 4s., the remaining six being all under 4s. per adherent, above eighteen years. This shows that our Sustentation Fund is not worth speaking of, but if any one still persists in talking of the maintenance of our church by the people as a burden, I have another answer for him, and that is disestablishment, or at least disendowment. The Free Church is notoriously, as to adherentship, the church of the people of the Highlands, and either of two things should happen if the maintenance of the church be too great a burden for the people, either that the endowments of the present Established Church be given to the Free so as to relieve the people of the burden of sustentation, or else better still, give them to neither church, but to the people to enable them to meet their school and poor rate fees, and let the people maintain for themselves which church they want. This to my mind would be part solution at least of the question of heavy taxation in the Highlands. This would go far to give the free education advocated by one witness.

One thing more, I refer to the relation of the crofter to the game and its

laws. I do not think that the giving of lands to the crofters would interfere really with game, either grouse or deer. The small tenants would willingly leave the upper reaches and higher hills to the deer. The extent of deer forest would not be so great, and such rents might not be got, but I would venture to say, the sport would be truer and better; and as in the case of Uig, rent got would swell the total up to the present figure. For grouse shooting, I am not sure but that the hills of small tenants are as valuable if not more so than those of tacks-men. In speaking to a friend on this very point, viz., the giving up to small tenants of a tack (Gress farm) I said, 'But what of the shooting rents?' 'Why,' he said, 'that would be as before if not better. Mr Platt, the shooting tenant of Park, told my brother that the crofters' part of the hill was 50 per cent. better 'shooting than that of the tacks-men.' I mentioned this to an ex-gamekeeper, and he said it was quite true, that the tacks-men were greater heather burners than the crofters, and that that accounted for the difference. This same gamekeeper gave it as his opinion in regard to the scarcity of salmon in a river, that in former times when the people lived on its banks, and when there were no game laws, it used to be swarming with fish, so that the people actually lived during winter on the salted salmon, and that this scarcity was due to over preservation. Formerly the boys and others of the adjoining hamlet by their continual rod-fishing kept down the black trout, whereas now, all fishing whatsoever being prohibited, the trout had got so numerous that they ate up the salmon spawn. I do not pronounce upon these two opinions, but merely give them as they may be of interest to the Commissioners in throwing light upon the relation of the crofters to game, as tending to show that the extension of the crofter area, and the restoring of them to their old townships, so far from spoiling the game, might only restore it to its former excellence.

XLIII.

Rev. Donald
J. Martin,
Stornoway.

Concluding Statement.

I fear I have been too long, but I would now conclude by summing up suggested remedies:—

1. A fixed tenure of some sort, either feu or lease—anything to secure from arbitrary eviction, or even the fear of it, and to give to the crofter the security not only arising from the benevolent intention and treatment of a kindly landlord or factor, but made sure by law. As to the power of eviction at will, I believe that this power, though in recent times at least rarely carried out, has nevertheless up to very recent date been used as a sort of rod over the crofter's head to keep in order. Ministers (a course of conduct I dislike and condemn) sometimes let calls, that they have no intention of ultimately accepting, go on just in order to stir their own people up to some point of duty—put on the screw, in other words—and just so I have known of factors (some have said it to myself) that in warning tenants had no intention of ultimately evicting them, but only of teaching them a lesson of submission. And in cases even where no such steps, or even threats, have been employed, the knowledge that factors and landlords have such power operates unconsciously in the minds of the people, destroying in many cases their independence of character and freedom of action, and that, it may be, from no fault of either landlord or tenant or any abuse of their power, but merely from the fact that such power is theirs; a state of things not due so much to men as to a system. For, again, there may be a kindly factor or benevolent landlord under whose administration there is a practical guarantee against arbitrary eviction; but that is only as long as he lives or holds the estate. Another may succeed of quite an opposite character, and the law being still unchanged, he can

XLIII.

—
 Rev. Donald
 J. Martin,
 Stornoway.

evict at pleasure. Now, mark you, in the present state of the law with tenancy at will, though under their present factor or proprietor the people are secure from eviction, yet the possibility of his being succeeded by an altogether different man deters the people from availing themselves of the present. You will notice how this operates against even a benevolent proprietor or kindly factor. Benevolence or kindness forms no tenure or security. Those that have read *Uncle Tom's Cabin* will remember a case in point. St Clair was the kindest of masters, and under him his slaves enjoyed practical freedom, but he never gave them a legal title to their freedom, so that, the law being unchanged, when he died, they, having no legal standing, were sold into slavery—a thing he never would have done, but which the system permitted and legalised. In this whole matter I have advocated, and still do, the raising of it above and the dissociating it from personalities or persons. Sir James was the kindest of landlords and the most benevolent of men, and yet under his proprietorship things were done that were far from the right thing. So now what the people need is a change from this system of tenancy at will to something like a legal title to tenancy or possession short or long, but to be known and fixed. This would do away with that constant feeling of abject subjection which under the present system confessedly exists in the crofter's mind. It is not a question of personal rule, good or bad, but of a system. I could enter here into the question of the people's interest in the land. Suffice it to say that it seems to me that the old clan system under which the people seem to have had equal rights to, or at least interest in the land with the clan head or chief, came to be superseded by the feudal, which exists to this day, whereby both right and interest were all vested in the feudal lord or proprietor, who drew his title, not now from the people but from the sovereign. All I plead for now is not perhaps the full recognition of this, which might lead to injury to those who have no blame in the matter, and have acquired by purchase and otherwise a right and title to the property, but such a recognition as would give legal security against removal at will.

2. Help and encouragement in conducting improvements, in stocking land, and in building houses; in other words, the compensation for improvements of which we have heard so much. I care not whether the help come in way of payment before or after, viz., by way of loan or compensation. [As I have already said, to my mind, if Sir James had gone on these lines his money on improvements would have been better laid out.] The only question is, who are the parties to advance the money? Three parties come before my mind:—(1) *Landlords*.—Landlords might be found to do it, as also to pay the tenants on leaving for any additional value that their labour and improvements might have brought into the land, though in order to encourage the landlord as well as the crofter, in case of new land, if the landlord gave it this might be left to him as reward. (2) *Government* might advance money to crofters to enable them to improve and stock land, or they might buy up land in order to let or sell it out in suitable lots to settlers. (3) *Capitalists*.—I mean by this especially those that have faith in the crofters' power of repayment and improvement. If landlords have not faith enough in the industry and power of the crofter to venture the experiment, then surely those who advocate the giving of more land to the people, and think that it would pay to do so, should be prepared to bear the risk of carrying out their views by combining to advance the needful, or by purchasing land and allotting it.

3. More land. But where is the land to come from? I am sure that many landlords will of their own accord give such; but though by some the proposal may be considered a very radical one indeed, I myself would advocate on this,

the introduction of the principle embodied in our Railway Bills, viz., that of public necessity—that, as in the case of railways, &c., if a community or company could make out a preamble (a) that there was land to be got; and (b) that they could work it so as to pay, they could approach Parliament and have the land given them at a valuation.

4. Voluntary emigration, as following migration and education.
5. The development of the fishing industry, by the building of harbours and breakwaters.
6. The making of squatting and subdivision illegal. This should not be left to individual landlords to enforce, but should be enforced by law. And this could be done more efficiently, more easily, and with least hardship when accompanied by legislation that would provide land for those wanting it.

XLIII.

Rev. Donald
J. Martin,
Sternoway.

DONALD J. MARTIN.

XLIV.

XLIV.

STATEMENT OF NAPIER CAMPBELL, Esq., Solicitor in Stornoway.

Mr Napier
Campbell,
Stornoway.

I am a native of Edinburgh, aged 50, and practising for upwards of twenty years as a solicitor in Stornoway, wholly independent of the estate of the sole proprietor of the island of Lews. The following remarks are of the nature and within the scope of my special instructions produced to the Commissioners.

It is quite a mistake to suppose, as has been elsewhere suggested, that crofters' grievances are only a thing of yesterday; and Fenian agitators, if heard, would, I think, leave no permanent impression. Whatever may have influenced them recently, the real question now is, I respectfully submit—Are their grievances real, and if so, can these be remedied?

This island most undoubtedly is, and has long been, seething in a chronic state of discontent. Any vagrant spark might kindle a dangerous conflagration. What precise shape this unhealthy feeling might ultimately assume no one can predict. The crofters of Uig and Lochs petitioned Lady Matheson to allow her factor, William M'Kay, Esq., to meet them in conference in order to discuss their alleged grievances. She declined; and in a published letter, she used the word 'dare,' and called them rebels! Now Lewsmen are, as yet, loyal to Queen and country. They have broken no law. They are a frugal, industrious, sober, shrewd, peaceable, and a notably religious people.

In Argyllshire, where I was for eight years in law offices, extensive evictions were being made. Intelligent Highlanders spoke feelingly and bitterly of the cruelty, harshness, and oppression suffered by 'the poor people' (especially where estates fell into other hands than the good old Highland lairds). 'Compelled,' they said, 'to leave their bonnie glens or straths, and heath-clad hillside pastures, for which their ancestors had fought and bled, their hearts were "wae" (very sad). In violation, too, of the crofter's *unwritten* right of tenancy—a more ancient charter,' they maintained, 'than the sheep-skin parchments of decaying feudalism—their homesteads were unroofed and their hearths made dark and cold. They were, as in the island of Islay and elsewhere, ruthlessly forced abroad in masses from the country of their hearts, sometimes under the dread of *kindred* bayonets, among aliens in language, religion, and sympathy, and with no other dirge than the weeping and wailing of their women and children.' 'Where now,' they exclaimed, 'are the 300 stalwart Islaymen who, under their chief, Campbell of Islay (and his sons), came to swell the gay pageant of a truly Highland welcome given by their over-lord, the Duke of Argyll, to their Royal Sovereign in 1847, on her first visit to Inveraray?' (See *Leaves on Our Tour in Highlands*, p. 80.) No wonder if Highlanders sometimes croon melancholy laments, and brood in sickly silence over the evil fortunes of their once martial race. It is their proverbial submission to authority and their literal faith in the decrees of Providence, almost approaching to fatalism, that keeps them humble. Naturally they are proud, high-spirited, and sentimentally impulsive. Highlanders *idolise* the Queen, who writes so favourably of them and their beloved country.

Some protection has been afforded to crofters in later years, by the growth

of public opinion, based on the impolicy of denuding the Highlands of brave, strong, hardy, well-made men, whose very history, and their reverence for it, make them heroes on the battle-field, while in peace they are a law-abiding, home-loving, and a God-fearing people. Wholesale evictions have thus become less frequent. Some proprietors have, fortunately, more regard for reputation than a heavy rent roll. Others, not a few, continue quietly evicting by legal process, and clearing by so-called 'voluntary' emigration. The lawyer's pen supercedes the soldier's steel. This depopulation, gild it as you may, is a bitter pill to swallow. Yet it is not rapid enough for proprietors who look only at the most immediately profitable side of the question.

XLIV.

Mr Napier
Campbell,
Stornoway.

With this brief introduction, permit me now, most respectfully to state :—

I. The Grievances of Lewis Crofters

These are as follows :—

1. Wholesale evictions from good land now under deer and sheep, *e.g.*, Morsgeil, Lynshader, and Park.

2. Shifting whole townships, and sometimes individuals, from place to place, without any compensation for improvements. This is spoken of as one of the *most frequent* forms of eviction in Lews. I remember one instance on the very outskirts of Stornoway. About twenty-seven crofters were removed from Widow's Row to Valleyfield or elsewhere. From crofts reclaimed, built upon, manured and tilled, they are suddenly compelled to shift to rough bog or bare rocky land, there again to reclaim, build, and cultivate, only perhaps to be again shifted. Those so shifted are crowded in upon other townships. This has a tendency to create mutual discontent. Individuals have been thus shifted three times.

3. Individual evictions of a revengeful or capricious nature, sometimes accompanied by aggravations of the evil. I have in view a recent case at Callanish, but other examples have, from time to time, come under my notice. Sometimes the outcasts cannot get a bit of land to build on, and they are refused parochial relief or other work.

4. In townships and individually they are frequently exposed to encroachments or minor readjustments to their loss. Cases of this kind are known to me down to recent date, and *vide* 'Bernera Trial Pamphlet.' Thus, while their families increase, their holdings diminish. The rent remains the same. They have to bear indirect increase of rent and other exactions which, though small in amount, press heavily on poor families.

5. The 'arable land,' and sometimes the grazing and peat-ground, is limited and very poor. Hence the cry for 'more land.' One effect of small crofts is that the ground becomes exhausted. It gets no rest or rotation. Another evil is the overcrowding of families. In the house of Duncan McMillan, crofter, Lemeraway, I observed three generations (sixteen persons, I think) in one bedroom. Lastly, it is impossible to extract a bare living from very small crofts.

6. The rents are in excess of the true agricultural or pastoral value of the lands. Such rents are a virtual tax upon the fishing industry, which is their main source of livelihood. The soil is naturally semi-sterile. It is thin and light. Its substance gets blown away and washed out. What little sun there is, is generally accompanied, up till mid-summer, by cold blighting winds, and sometimes the weather breaks up before the meagre crops can be secured.

XLIV.
Mr Napier
Campbell,
Stornoway.

7. As tenants-at-will (that is, tenants holding land, &c., under the legal fiction of a *presumed* verbal lease for one year terminable at Whitsunday), the crofters have long been, and still are, insulted, trampled upon, and terrorised over. Examples of this would just be to give the unwritten history of Lewis. Their submission to authority, lay and clerical, is well known. All this, combined with despair of redress, engenders a condition of servility, listlessness, and dependence, which undermines their manliness, their moral virtues, and their self-reliance. A conventional lease (that is a written lease—a Lewis one in particular—*vide* 'Rules of Estate') would not improve their condition. It would only place them more in the power of estate lawyers.

8. The crofters (and I can endorse this grievance) complain that there is virtually *no law* for their redress; but in any view, they dare not resort to law with their laird or any one under the shelter of his ample wing. During my long experience I could see no other alternative in all such cases, than to counsel instant submission, *lest worse should come of it*. It is not for themselves alone that crofters are concerned. Their parents, grand-parents, wives, and little ones share their anxious solicitude. To all these they are, as a rule, much attached and remarkably kind. They will work hard and endure much to keep 'the old people' off the poor's roll. They positively shudder at the every-day threat, 'I'll put you out of your lands.' Frequency does not rob this threat of its terrors (indifferent as their lands sometimes are). They get off lightly by paying 30s. as the law costs of a removing!

II. Remedies.

The remedies which occur to me are:—

1. Enlarged crofts for such as desire them, of average quality, of 'arable land,' with sufficient pasturage and peat-ground for each township.

2. Failing the proprietor providing the necessary land within a reasonable time, and to the crofter's satisfaction, power to take such land as purchasers, on the analogy of railways, or for occupation merely, on equitable valuation and decree of Court.

3. Absolute security from eviction, so long as the crofter is not *hopelessly* in arrear and performs his *duties* as tenant. By 'hopelessly' I mean three years' arrears without value therefor, and for the next year's rent on the lands. By 'duties' I mean such as modern statutes would impose.

4. A fair rent should be judicially fixed, on the basis of a neutral valuation at the outset. It should not thereafter be raised, or the possession disturbed, for nineteen years, and then only under a new valuation and decree.

5. In the event of eviction, or loss of tenancy otherwise, the crofter should be entitled to full compensation for buildings, fences, drains, and other permanent improvements, on well-defined principles.

6. Anxious and minute provisions—(1) against proprietary influence; (2) to secure fair valuations of rent and compensation; (3) to provide cheap, summary, and efficient courts; and (4) for protection at the ballot-box. The object of all such provisions is that, so far as possible, the crofter ought, when not in fault, to be quite free and independent in defending his public and private rights as an humble member of a great empire.

7. Any Government grants in aid could not, in my opinion, be better applied than in the reduction of assessments for roads, schools, and poor.

III. Some Practical Suggestions.

The foregoing proposals may be further elucidated:—

1. I do not propose to take present statistics. These are virtually factorial figures. There ought to be a full, careful, and minute neutral survey of all croft lands, and lands suitable for crofts, in addition to a proper classification of the rural population, in order to discover how many families might really require land, and to what extent, and also whether and where that can equitably be provided for them. Many widows and poor persons might not wish more land.

2. Such survey might also embrace the forelands of the shores. These are already secured to fishermen and others by old Fishery Acts for fishing purposes; but the said Acts are disregarded—(1) owing to the difficulty of recovering the penalties; and (2) from dread of conflict with the lord of the manor.

3. For neutral valuations I respectfully suggest the appointment of well-paid officials, like fishery officers, specially qualified—one to reside at each seat of Court. These officers could send statistical reports to the Crown, take an active superintendence of crofts, give all necessary information, and value rents and compensation. It should be optional always, to either party, to demand the valuation of a non-resident official.

4. As to lands taken on compulsion, the analogy of railways seems to be, constitutionally, preferable to the proposal of a Government purchase. The same analogy suggests the creation of an intermediary board, such as croft commissioners, elected like burgh commissioners, with borrowing powers, power to appoint district comptrollers (superceding ground officers and farm constables), and generally with powers for enforcing sanitary arrangements, simple improvements in dwellings, agriculture, and such like, for the benefit of all concerned. Such boards would educate crofters to exercise the franchise, and manage their own concerns. In these boards might be vested, *ad interim*, all lands taken on compulsion, and the 'forelands.' The encouragement of fishing settlements all along the coast suggests one remedy for future overcrowding. This would greatly increase the value of adjoining lands per acre; and fishing might, in due time, become self-supporting.

5. The Crown appointment of procurator-fiscal should be put on the same footing, as regards prohibition from agency, as sheriffs and sheriff-clerks. *In no case whatever* ought fiscals, or any one identified with them, to be agents for landed proprietors within the county where the estate is situated.

6. I attach almost *vital* importance to the great protection which cheap, summary, and efficient Courts would afford. Our Small-Debt Court (if it allowed the successful party relief against the loser for agency) with a Circuit Appeal Court of three principal sheriffs, furnishes an excellent model. Long residence of local sheriffs would find in this powerful appeal Court a counterpoise. Such used to be the Appeal Court for valuations; but it would be a great improvement thereon that sittings should be *frequent*, and that they should be held in each *district* seat of Court. It might be called the Lands Appeal Court. If successful it might also, by after extension to all sheriff-court cases, supercede the present double sheriffship. The cost to the county would, by thus utilising existing machinery on tried lines, be quite *nominal*. An agency fee of 7s. 6d. for the local Court, and 12s. 6d. additional for appeal, if taken, would be within the reach of any crofter. A more liberal allowance would be required, and be reasonable, in township cases. Such Court would, I am satisfied, contrast favourably with Irish Land and Appeal Courts (1) on the grounds of expense, efficiency, and despatch; and (2) political jealousies incidental to party appointments would thereby be obviated.

7. I here confine myself to pointing out defects, leaving the appropriate

XLIV.
 Mr Napier
 Campbell,
 Stornoway.

remedy to abler hands. Our present ballot system *does not* protect poor, dependent, and illiterate crofters. The polling officer is no doubt sworn; but, in remote districts, he is *virtually* nominated by the proprietor. He is closeted alone with the voter. Now, under pressure or strong electoral excitement, any of the following three things may happen:—1st, the officer, contrary to the spirit of the ballot, must know who the elector votes for; 2nd, he can easily deceive such voter by misdirecting him in recording his cross-mark; and 3rd, if the voter is undecided in his choice, he can, at a critical moment, influence him.

8. In the event of a competition for or choice of crofts, a preference should be given to soldiers, army reserve men, militia, naval sailors or marines, naval coast volunteers, and merchant seamen.

IV. *Illustrations.*

Underlying all the foregoing grievances, remedies, and practical suggestions, or ranking highest in importance among them, is the operation of existing laws affecting crofters. This cannot be better illustrated than from my own experience as 'opposition' agent in Lews.

An urgent cry for a law agent reached me in Edinburgh in May 1863. Promised both moral and material support, I responded to the call. Six or seven agents had failed to establish a footing. I am here yet. But owing to all appointments of profit going one way, I can appreciate the bitter truth propounded by Lord Macdonald's agent at Portree—I have had great difficulty in 'making my tea out of it.'

The town was in a ferment about the foreshores dispute. I was welcomed by the most prominent townsmen. Alas! how few of those can appear here to-day! One of my first duties was, under estate opposition, to get Stornoway created a police burgh, so as to give the people a status to defend their public rights. The proprietor's purchase of the foreshores of Loch Stornoway was considered a breach of good faith. He had been applied to by 'the people' to obtain for them a Harbour Act to legalise the levying of dues on quays built by their ancestors and maintained by themselves. Instead of this he purchased the foreshores for himself, whereby he, in addition to a now very valuable foreshore property, claimed exclusive control over said quays and over the public pier, which formed the only outlet for the crofters' cattle, sheep, eggs, and fish, and the customary inlet for their clothing, oatmeal, flour, tea, sugar, tobacco, and all other necessaries and luxuries of life. He would also acquire exclusive control over the principal shipping and fishing industries of the island. No sooner was this purchase effected, than sixty householders were dispossessed, by an equal number of actions of declarator in the Court of Session, of valuable curing stations in front of their feus. With very few exceptions the feuars were either too poor or too timid to defend. The people, however, acting in concert, challenged the purchase in Parliament, on the ground, *inter alia*, of a very inadequate price having been paid. They not only petitioned, but they sent a special deputation to London and secured the services of several members of Parliament in support thereof. Measures of punishment were resorted to. Many of my earlier patrons were defending themselves from vexatious legal proceedings and other complications. Some became bankrupt, others emigrated, while many are dead. Concurrent therewith, measures of intimidation were instituted against one or more bankers, doctors, shipowners, fishcurers, public officials, bakers, general merchants, tradesmen, labourers, and others who were in any way in the reverence or

under dread of the estate (Who are not?). A lithographed copy of the said petition, with facsimile signatures, was pointed out to me *in situ*. It was hung up in the factor's office. Parties who had signed it were invited or induced to call. They were asked, 'Is that your signature?' if answered, 'It is,' or 'It is like it,' they were then asked to withdraw their signatures and sign a counter petition. Those who refused, and many did refuse, were told significantly, 'You will get no more estate work or estate money!' Sir James Matheson was then residing in the island, and personally negotiating with the people. A compromise was ultimately arrived at, and sanctioned by the Harbours Trust Act of 1865. It was only, however, of a very limited nature. The said 'foreshore' right, with the acquired curing stations, a large claim for feu-duty and sundry other valuable rights, including a preponderating control over the trust, were carefully conserved or secured to the proprietor. Mr M'Kay, in his statement, classes expenditure on the said curing stations as expenditure for the good of Stornoway! The estate has been drawing rent for these stations for eighteen years, and feu-duty for the quays and pier—say, in all, £3500! He refers also to outlays on the public pier. These, if really expended, were made in the hope that the pier would belong to the estate, and, being carefully provided for, the capital sum over £800, with 6 per cent. per annum for interest, was *duly repaid*. The original price of the foreshores, of which the proprietor still retains nearly the whole, was little over £300, and the actual outlays on the curing stations very nominal. Altogether the said foreshore purchase was a brilliant pecuniary success for the proprietor, and at same time a serious encroachment on public and private rights.

The courts of justice, particularly the Sheriff Courts, were almost *unanimously* complained of. This was a *substantial* grievance. In the majority of cases the decision of the local sheriff was final; and where not so, only a few had the means to resort to higher courts. Mr Andrew Lothian Macdonald held this office for twenty-eight years prior to November 1871. In private life he was an amiable and accomplished gentleman; but latterly well advanced in years, as was also the then local sheriff-clerk, Mr Colin Leitch. With the utmost desire to avoid giving offence to the relatives of those two gentlemen, both now dead, I fear that I cannot conscientiously discharge the important duty I have undertaken without stating that neither of those gentlemen appeared to me to maintain the position and dignity of their respective offices, in the face of arbitrary power.

I now refer to Justice of Peace Courts. In 1868, the estate promulgated a policy of restricting 'drinking facilities.' As regards hotels, &c., these were and are very summarily dealt with, under a series of general resolutions of the justices, and under estate and Good Templar influence. Under this new *régime*, 1st, all back-doors of hotels, even those almost indispensable for domestic purposes, were shut up; 2nd, with one very marked exception, all licensed houses were ordered to close at 9 o'clock P.M.; 3rd, all new licences were refused; and 4th, even renewals could not in many instances be obtained,—in other words, old-established licences were withdrawn from houses without any fault alleged, much less proved. Great hardships were thus not infrequent. The said early-closing hour was continued until the Court of Session established in the Rothesay case that certificates with that hour were illegal, whereupon the original hour of 11 o'clock P.M. was restored. For a time there were a few independent justices who refused to apply general rules to all cases; most of those, from death, removal, or other cause, ceased to act, while the remainder (probably finding themselves in a helpless minority) changed their views. In

XLIV.

Mr Napier
Campbell
Stornoway.App. A.
XXXVIII.

XLIV.

Mr Napier
Campbell,
Stornoway.

all the latest Licensing Courts the justices appear as if acting in concert like one man, under the guidance of the present factor, a justice of the peace. They support the above policy adverse to hotels, &c. The Quarter Sessions Appeal Court at Dingwall now acts with almost like unanimity. Sir James Matheson was for many years Lord-Lieutenant for Ross-shire, and his influence was used in the nomination of justices, &c. In the landward part of this populous island next in size to Ireland, there is not one licensed house for the accommodation of the public or of tourists, travellers, or others. Compare this with the policy pursued by Sir Alexander Matheson of Ardross on the mainland, who has beneficially I believe, expended £10,733 on hotels—more than he has expended in shooting lodges, and bank offices together, and nearly as much as on roads. As to the Lewis crofters, they are not consulted in the matter, yet it is alleged that they are the special objects and causes of all this very anxious solicitude. They are said to be intemperate. This I deny. Even prior to the inauguration of this policy I never knew a more sober people as a class. One of the J.P.'s, a very worthy rural clergyman, having warmly advocated the withdrawal of the licence from the only inn in his parish, stated that 'drunkenness was alarmingly on the increase.' On being asked to specify the number of people in his parish who were known to him to be 'addicted to drink,' he very innocently replied, 'I only know one man of my people of whom that can be said,' and he subsequently admitted that 'this man did not patronise the inn in question.' I also deny that the crofters are extravagant; they are quite remarkable for economy. Such an extreme policy is in many ways hurtful. So far as crofters alone are concerned, it is a serious encroachment on their liberty. It is only one of a multitude of like extremes, the outcome of all which is the almost total subversion of freedom.

I now mention two procurator-fiscal illustrations. There had been a skirmish in town between certain unpopular police, since removed, and some crofters from Knock, which was followed by mobbing and rioting. The fiscals, or one of them, wrote to Sheriff Cook in Edinburgh, asking him to try the complaints before a jury elsewhere, 'because a local jury could not be trusted to convict in a question with the police.' It was further alleged that 'the police required protection.' Happening accidentally to call on Sheriff Cook, he questioned me and handed me the letter containing remarks to the above effect. My answer was, 'I think it is the people who require protection from the police.' This view turned out to be correct. The police, it was clearly proved, were originally in the wrong, and, while wrong, they used their batons too freely, drawing blood. This led, probably in despair of other redress, to the police being on a subsequent occasion mobbed by a large gathering from Knock. Sheriff Cook wisely entrusted the cases to a local jury. A unanimous verdict was given against the men who broke the law by mobbing; thus showing that local juries were just like other upright juries. Again, in a series of letters laid before the County Commissioners of Police, and published in the press, the Lewis crofters were called 'hereditary sheep-stealers.' The people were naturally indignant. Mr Sellars of Park Farm apologised at a public meeting; he said he was misled as a stranger. Mr Munro also stated that in the whole of his experience as fiscal he had never known one case of sheep-stealing in the island. Meantime, however, two extra policemen were stationed in Lochs, thereby increasing the rates and adding another link to the heavy chain of absolutism. After this meeting, having called at the factor's office, I found the factor in high glee; he was studying some water-coloured drawings of sheep's-heads. One of these he held out at

arm's length, saying 'Don't you admire it?' The full force of the joke I was then unable to appreciate. It was evident, however, that the meeting must have interrupted a congenial task. Time partly unfolded the mystery. A crofter retained me to defend him against a charge of sheep-stealing. It was only a dispute between neighbouring crofters about ear-marks, which were often much alike, and the disputes settled in a Small-Debt Court. The said drawings probably referred to this case. Before the criminal court day arrived, my services were dispensed with. The accused pled guilty. I was much surprised at this, and through a reliable source I ascertained that he admitted having been induced, he would not say by whom, to plead guilty, on the assurance that 'he would save an agency fee, and get off lightly.' His fine was small. But here was a recorded conviction for sheep-stealing. Another conviction took place about the same time of a Harris man, who was thereafter placed at Valleyfield, much to the indignation of the crofters there. From that date he became the marked recipient of factorial favour. Indeed, such implicit confidence had the factor in this man's honesty, that he located him just where he could, if so disposed, help himself to the fattest (estate) wedders in the island! I never heard of any conviction for sheep-stealing either before or since.

The late Sir James Matheson, Baronet of Achany and the Lews, M.P., and Lord-Lieutenant for Ross-shire, was a great man, a public benefactor, a resolute pioneer of progress, the architect of his own colossal fortunes, most hospitable, and sometimes profusely benevolent. Alas! there is another side to this picture. He was peculiarly accessible to flattery through the public press. In addition to the factor and his staff industriously fostering this specialty, any one who could write local articles was speedily secured and patronised. Their constant theme was laudation of the proprietor. Thus the outside public came to have a different ideal portrait of him from that which had slowly and silently corroded itself into the popular heart. Appeals on the ground of poverty seldom, if ever, moved him to relax one condition of a hard bargain. The usual answer was, 'Sir James will not negotiate till you place yourself entirely 'at his mercy. If you do not so submit you must take the consequences,' &c. To anything dignified with the name of 'estate policy' *all* must bow with almost Oriental docility. He carefully left poor people who were compelled to negotiate with him in defence of their rights, on a most unequal footing, to be dealt with by his lawyers, who enjoyed an exclusive monopoly of all local influence and power, and who zealously exercised it, in most things, to the full measure of its capacity. The policy of the estate—not under one factor alone—but steadily pursued through nearly all factors, for a long course of years, must, I fear, if truth is to be spoken, be characterised as a tortuous, subtle, and aggressive one in pursuit of territorial aggrandisement and despotic power, so absolute and arbitrary as to be *almost universally* complained of. No one could reside long in Stornoway without observing and feeling this encroaching spirit. Virtually 26,000 people complained, and still complain, of one.

The factor or 'chamberlain' who enjoyed most of the proprietor's confidence, and longest retained it, was Mr Donald Munro, solicitor. His various titles are enumerated in the Bernera pamphlet. He held office for twenty-one years prior to 1875. In the said Bernera trial he deponed to his having taken out and ordered execution of forty removings without even consulting the resident proprietor, who looked very closely after his own business! Were I to attempt to give some conception of the popular ideal of such factors, I

XLIV.

Mr Napier
Campbell,
Stornoway.

XLIV.

Mr Napier
Campbell,
Stornoway.

would have to resort to metaphors such as Bismarck for his iron rule and far-reaching diplomacy ; King Theodore, surrounded by his terrified prisoners and trembling subjects, boasting of his invincibility in his own remote Magdala, pursuing, even to the bitter end, his measures of revenge, tyranny, and oppression while 'hugging his big guns.' Or I might refer to the legend of the Scottish Border, which describes the English matron hushing her fractious babe to sleep with the terror of 'the Douglas' name. I would still leave much to the imagination. Mr Charles Innes, agent in said Bernera trial, wittily declared that, on his first visit to Lews, he thought the people had 'Factor on the brain.' It is only fair, however, to Mr Munro to say that his immediate predecessor, Mr John Munro Mackenzie, a native of the island, did not enjoy a much more enviable reputation, while Mr M'Kay, the present chamberlain, has been so long in the estate office, under both of the said Messrs Mackenzie and Munro, and the estate and legal machinery remain so much alike (if not stronger than ever), that, if there is any change for the better, it is only a question of degree. I have complaints from townships and individuals, aye, even of parishes in quite recent times. So that the conclusion I draw is, that as the present system would spoil any man, even one quite new to it, so Mr M'Kay only requires time and circumstances to develop into the usual type of factors of great proprietors in remote districts of the far north. The long exercise of too much power has a depreciating influence. I could frequently recognise the late proprietor's own master-mind. The master makes the servant. I took good care, for causes to be explained, that he should be *unable to plead ignorance* of what was going on in his name and for his behoof in anything I had on hand. Mr Munro's zeal for his employer was beyond question. The rental of the estate, which was about £10,000 in 1844, is now nearly £18,000. The rental, however, does not, I think, show all, or anything like all, the various exactions imposed on crofters. It will not, in particular, show *the law costs recovered*—one very severe method of punishment, and *not an uncommon one*. Were I to mention cases with large tenants and cases affecting property in town, in which the fiscal element generally figures, I could still more forcibly illustrate the view I have expressed as to the estate policy and system; but the strict relevancy thereof might not so readily appear.

One of the most perplexing elements I encountered was a secret partnership between the factor (Munro) and the estate agent (Ross), which they and the proprietor appeared to be *most anxious to conceal*. They were openly enough joint-fiscals. They kept a joint bank account. In the case *Skinner v. Stephen*, Mr Ross swore to this partnership. I could never obtain evidence of its dissolution. In another case, the Proprietor *v. K. Murray Ness*, Sheriff Cook commented on the singularity of the one partner acting for the pursuer and the other for the defender. This curious phenomena was not infrequent. The partnership was very visible to me. Yet many believed there was no partnership. I am very difficult to persuade that it does not *exist at this moment*, all outward appearances to the contrary notwithstanding. I raised this question about five years ago in open Court; but Sheriff Wilson did not allow the inquiry to proceed.

I have met the factor Munro in seven different capacities in one case (John M'Iver's). I also heard him boast of appearing in sixteen distinct capacities at one time! He could thus cut himself up into sixteen different personages in law, or he could, at pleasure, unite all these parts or personages into one great person under the powerful name of the sole proprietor of Lews. To follow the intricate windings of a Lewis legal labyrinth, in the hope of obtaining

justice, required great independence, some means, considerable nerve, and resolute steadiness of purpose. Above all, it required a reliable tribunal within the compass of the person's purse. How seldom could all these elements be united in Lews. The poor crofter was *least of all* fitted for such a contest. It was like fighting with some hydra-headed monster. Nor was it free from serious risk to an agent—as I experienced. In defending a tenant (Alexander) from vexatious litigation and a net-work of complications of a very peculiar character, I used words which were so far indiscreet, that I did not see my way to defend an action of damages for £1000 in Court of Session. I preferred to retract and pay £30 of expenses. The wielders of this terrible complex legal machinery could almost be 'a law unto themselves.' Silence resulted from *sheer dread*.

One of my earliest cases was to defend a poor crofter named Beaton. His only cow having strayed on Goathill farm it was 'pound-folded' (an old Scotch remedy for trespass). Beaton offered double trespass money (2s. 6d.). This was refused, and a warrant to sell the cow applied for. The cost of this warrant, unopposed, would exceed the value of the cow, and a sale would leave a balance to pay at next rent collection. On my appearing for Beaton he was threatened with fiscal proceedings and to be put out of his lands. I protected him from these threats and succeeded in restoring his cow, under appeal to Sheriff Cook, who reprimanded the said local sheriff for language used in his decision.

CONCLUSION.

The foregoing statement or memorial has been written altogether in vain if my purpose is not self-evident. It is not any individual I desire to assail. It is a — system. If I could, in justice to others, avoid names I would do so. Confining myself to matters within my own cognisance, I have sought to prove that the poor, humble, but respectable Lews crofter has much to complain of. He could hardly be happy and contented under such a system. Our crofters are quite unused to Royal Commissioners. They hardly know how to express their deep-seated inner feelings to the representatives of their Sovereign. So few are independent of estate influence that they hardly knew who to trust as advisers. Their evidence has been given under the chilling presence of a factor. A few words of assurance from him cannot instantly dissolve this spell. It would require much longer time and more systematic preparation than they have had to exhaust the Lews evidence. For every delegate examined they could offer two more. No doubt the evidence given by themselves should thus be all the more valuable—but as an *exposé* of such a minute and elaborate system it is very *incomplete*. It is contended that the Lews crofter will compare well with his Irish neighbour.

They desire permission to live, quietly and peaceably, by their hereditary pursuit of joint land culture and fishing, for which mode of life they seem peculiarly adapted. Their sons have a striking aptitude for mercantile pursuits. Left to themselves many leave the island and emigrate. This class have been remarkably successful. Assisted emigration, as hitherto carried out, is the total breaking up of their home with all its associations. It is dispersion or virtual annihilation *as a race*. They complain, too, of injustice in former emigration arrangements. The factor, they say, gave what he pleased, and inadequate value, for their stock, crop, and effects. Be all that as it may, they have a deep-rooted antipathy to compulsory or disguised

XLIV.

—
Mr Napier
Campbell,
Stornoway

XLIV.
 Mr Napier
 Campbell,
 Stornoway.

expatriation. Migration, as distinguished from emigration, they are already used to ; and, even though not hitherto conducted on equitable or enlightened principles, they submit to it. Their feelings are not thereby so seriously outraged nor their fears and prejudices aroused. For many a year to come, every able-bodied man, with a taste for the sea, is required in Lews. Our fisheries are only in their infancy. We have no oyster farms, which are said to be very profitable.—See Bertram's work on *Fisheries*.

If proprietors should be, by force of law, compelled to make reasonable concessions to their poor tenantry, every one pound sterling spent on harbours, piers, coast-roads, telegraphs, and such-like aids to the development of our fisheries, as a great national industry and nursery for our maritime supremacy, will have the practical effect, in course of time—while operating as a wide-spread boon—of amply compensating sea-coast proprietors. Sir James Matheson asked £16 per acre for the site of the Free Church Manse (now Greenfield's Manse). Could he ever have dreamed of such a price—or even the present price of feu stances—but for the fishing industry at Stornoway ?—In respect whereof,

NAPIER CAMPBELL.

XLV.

STATEMENT by the Rev. EWAN CAMPBELL, Lochs, Stornoway.

(See Evidence, p. 1131 et seq.)

XLV.

Rev. Ewan
Campbell,
Lochs.THE MANSE, LOCHS, STORNOWAY,
25th August 1883.

I am sorry that much that has been uttered before the Commissioners is misleading and inapplicable to the circumstances of the questions at issue.

'Grievances' presuppose deprivation of RIGHTS. 'The earth being the Lord's and the fulness thereof,' the *crofters* apparently assume that He has given them, as His 'chosen people,' absolute right to the Highlands, and appointed Government as tax-gatherer for their special behoof! They consider themselves, therefore, empowered by 'Right Divine' to spoil the Egyptian proprietors and their tacksmen, whom, nevertheless, they look upon as being ordained to replenish the public purse, out of which they are to draw freely to stock their heritage and build their manor houses! Conjoined also with this is the strange assumption: That inasmuch as the Highlands are heritages of the SWORD, the Clan that fought successfully in robbing, maiming, and ousting the previous occupants of the land, obtained the self-same right to it as the Chieftain of that Clan. Under the shadow of this peculiar allegation, 'THE CROFTERS,' or rather their nefarious instigators, ground a 'right' of re-possession, and mutter insane threats of reprisal by this *Charter of Right*—'The Sword of Brenus!'

These being apparently the underlying principles of their statements—a disruptive and disorganising principle—permit me to indicate the real facts of the case at issue.

'Townships' were originally held by the occupants on the common system, in relation to which the cropping ground was yearly portioned out by 'he grazins by 'sooming.' In course of time, the crofting system superseded the yearly 'casting of lots,' hence the croft still goes under the designation of 'lot.' The boundaries of the township, however, remained fixed as theretofore, as the croftage formed 'part and parcel' of the commune as of old.

It is thus self-evident that each member of the Communists would have to be served with summons of removal *first*, with a view to a different settlement, *before* any encroachment on their rights, by the designing of additional lots out of the common, could be perpetrated. That such high-handed encroachments exist, and constitute a serious grievance, is a notorious fact. It cannot be denied that the tendency of such arbitrary encroachments is not only to impoverish but also to enslave a community, by the undermining of that sense of right which lies at the root of a genuine independence. And when to this is superadded the baneful effects of an 'obnoxious charity,' inaugurated by designing, loud-speaking demagogues and self-glorifying bigots, the wonder is how the Highlander, whose poverty and religiosity form a capital for revolutionary 'stump orators,' could escape being dragged down to a state of inertness and dependence.

Looking at our 'Highland scenery,' no person except one who is wilfully

XLV.

Rev. Ewan
Campbell,
Lochs.

blind would have thought of 'gulling the public' by pleading for 'compensation for improvements' that are as impossible as they are chimerical! The truth is, should an Act be passed to-morrow providing for such 'compensation,' the contemplated improvements would forever remain a 'baseless fabric of a vision' in the addled brain of the agitator!

Population is so rapidly increasing, in the 'Islands' in particular, that recourse to emigration must inevitably eventuate, while the actual occupant of a croft will have to be allowed, as his legitimate right, to till the commonly. Rents are anything but excessive. The real root of the 'grievance' is to be traced to a reprehensible system of management, and to inertia and sectarian bigotry. The people must be transplanted elsewhere out of the sphere of existing influences, to enable them to raise themselves to a state of manly independence

EWAN CAMPBELL.

XLVI.

STATEMENT by JOHN SCOBIE, late Factor for the Lewis.

XLVI.

(See Evidence, p. 875 et seq.)

John Scobie,
Esq., Durness.KEOLDALE, DURNESS,
SUTHERLAND, December 1883.

Seeing the misstatements emitted before the Commission in evidence given in the Island of Lewis, I deem it but right to submit a few remarks on the facts of the case in justice to the late Sir James Matheson, and myself as factor at the time referred to.

I may mention that when Sir James bought the Lews there were arrears of £1417, 18s. 1d. due by the crofters to the Seaforth management, which he paid rather than disturb his tenants, no part of which was recovered by him, owing to the severe years that followed. A considerable part of the said arrear was due by the tenants of Reef, Valtos, and Kneep, on the south side of Loch Roag, which may have induced the said management to set these townships, the year previous to the purchase, on 15 years' lease to a Dr Macaulay, along with the adjoining farm of Ardroll, formerly possessed by him. This being brought before Sir James as a hardship on the part of the crofters to be evicted, and represented to the Hon. Mrs Stewart Mackenzie of Seaforth, she handsomely came forward and arranged with Dr Macaulay to renounce said lease, for which he was paid upwards of £4000, to which Sir James, on the score of goodwill, contributed £500, and besides took over the stock of Ardroll from Dr Macaulay at a cost of £933, 4s. 10d., in the hope of improving the condition of these crofters. Not long after, the Reef tenants complained of being far from their hill pasture and peats (being about 8 miles by water), saying they would be glad of any holdings where these would be convenient. The arable land at Reef was light sandy soil, and from constant tillage apt to be blown away by every gale, being much exposed to the full force of the Atlantic, from which cause their fishing was anything but prosperous.

Neil M'Lennan, Breasclete, parish of Uig,* stated before the Commission—
 *The tenants of Reef got notice of removal from Mr Scobie, factor, and as they had no arrears of rent they refused to remove, and stood out against it for three years; and after his term of office expired, the new factor followed up what his predecessor had begun, and at last got them forcibly ejected.

Evidence,
Q. 1440.

The facts are that there was no attempt at clearances during my five years of office except at Reef, in the hope of their doing better. They did not attend the works going on in the island as they should have done. Latterly there was a road made beside them at Glen Valtos, and a lake drained at Kneep, each work more with the view of giving them employment than any hope of remunerative benefit. At Whitsunday 1848 the Reef tenants were £141, 17s. 9d. in arrears, their yearly rent being £89, 14s. They were summoned, but were not removed till 1850, by my successor as factor, Mr J. Munro Mackenzie. They were then £231, 8s. 6d. in arrears of rent, besides a large sum for meal and seed given them. These tenants were then removed to crofts vacated by such as took advantage of free emigration, or to land not otherwise occupied, and were not crowded into other townships.

On the west coast of the island, from Loch Roag to the Butt of Lewis, there are no boat harbours available for fishing, and the ground swell of the Atlantic lashing along that seaboard makes it hazardous to go to sea, even with the

XLVI.

John Scobie,
Esq., Durress.

finest weather. The soil generally is less capable of improvement south of Galston, so that the people are still very far back comparatively. On the east coast of the island there is comparative shelter and places of safety to run to, and the fishing is prosecuted with energy. Sir James laid out largely in making new storehouses and curing places at the fishing-stations of Carloway, on the west coast, and on the east at Port of Ness, Shegirsta, Tolsta, Bayble, Portnaguirau, Holm, and Cromore, which outlay was a great success, the improvement of quality in the cure realizing more money in the home and foreign markets, giving a new impetus to the fisheries, which increased greatly beyond any idea formed of this industry.'

Add to this *steam communication*, which had not extended previously north of Skye till Sir James opened weekly steam services to the Lews direct from the south, which brought about a ready-money system, doing away with the truck system which formerly existed less or more, thus bringing a direct benefit to the community at large.

Roads and bridges were projected at the same time throughout the island. The first that came out to work from the remoter districts were barefoot, and thought the factor a very extravagant adviser in recommending shoes to all at spade work; but in four years after they all had shoes or strong-laced boots.

The exigency of the unparalleled destitution of the years 1846, '47, and '48, caused by the potato failure of 1845, being unprecedented, made it more difficult to deal with in every Highland management, and led to a simultaneous outlay of land improvements, trenching, fencing, &c., in addition to the said roads and fisheries, so as to make work available to all in various parts of the island. Supplies of food (oatmeal, &c.) were early secured by Sir James, and given out to the people during the whole period of destitution 25 per cent. below the current market price.

Schools were placed in hitherto unprovided localities, and endowed by Sir James. Approved of teachers were provided from the Free Church Normal School, Edinburgh, so that the people could send their children without prejudice to sect. At the same time Sir James was opposed to rival schools, but gave sites to the Free Church within a reasonable distance of the existing parish schools, so that all might be useful. He contributed freely to the schools placed in outlying parts by the Edinburgh Ladies' Association for the Highlands and Isles. Still the people did not value this boon, saying that if they sent their children to school they would not remain with them. Now that education is compulsory, it is to be hoped that it will prevail ultimately, and encourage many of the rising surplus population to go abroad, where soil and climate will remunerate with returns for their industry, and enable them to assist their poorer relations at home, and so induce others to follow.

The population in 1841 was about	. . .	17,037
And in the year 1881 is stated to be	. . .	25,487

Present increase,	8,350
-------------------	-------

And this shows an increase of one-half in forty years, without including 2231 who took advantage of free emigration in 1850, which, at the same rate of increase, would give about 1000 additional, which implies the necessity for free emigration to relieve the island of its still increasing population beyond what its capabilities can support—especially the west coast, where fishing is not available, and the soil and climate unfavourable to cultivation.

During my period of office of five years in the Lews, I have no hesitation in stating that the people were better clad and better fed, and the interior of their houses more comfortable from being more amply provided with bedding, &c., and became more self-reliant and ready to contract for any piece of work,

which at first had to be done by strangers, and were brought actually fifty years in advance to what Sir James found them. The fishermen especially are admitted to excel their neighbours on the mainland, and the well-doing fishers and industrious of the landmen had deposits in the banks; and certainly there was less excuse for the able-bodied to be in arrears during that period, though the excessively low price of cattle aggravated the distress.

Experience shows that if the rent is reasonable, the idly inclined find in the exertion of getting it that they can earn more to help to provide for their families, and would be worse off if they had no rent to pay, as their labour is their capital, and they are thus taught how to turn it to account. Such as will not work or try to exert themselves will ever be a drawback and source of discontent in any community.

There never was a more benevolent, liberal, and large-minded proprietor than Sir James, who, having the means, went hand and heart to ameliorate the condition of his people, and proved, under a ruling Providence, the instrument of saving many lives that would otherwise have perished of starvation. There was not one soul in the island died of want during these years. Lady Matheson was ever kind to the poorer classes, and in planning extensive improvements in the Castle grounds, afforded constant and remunerative employment to the neighbourhood.

It is much to be feared that the response was wanting for all the good that was bestowed so freely, though there are honourable exceptions; and it is to be regretted that the evil disposed and ungrateful should now be pushed forward to misrepresent matters, which can only have the effect of causing mistrust and disappointment ultimately to all concerned.

Without going into particulars, which would make my remarks unnecessarily lengthened, I may refer to Sir John McNeill's Report on the Western Highlands and Islands, in which it is stated that, between 1845 and 1850, Sir James expended in works executed in the Lews the sum of £101,875, besides gratuities for education and charity to the amount of £5892, being £67,980 (exclusive of the cost of management), more than the whole revenue derived from the property during these years.

I much regret occupying your valuable time, but think it best to forward this statement, in case it may touch on any point that requires explanation.

JOHN SCOBIE.

XLVI.

John Scobie,
Esq., Durness.

XLVII

XLVII.

STATEMENT of Mr RODERICK CAMPBELL, North Dell, Ness,
Lewis, N.B.Roderick
Campbell,
Ness, Lewis.NORTH DELL, NESS, LEWIS,
17th September 1883.

As a preliminary illustration, I shall endeavour to show the course that should, in my opinion, be adopted in order to redress the grievances now under investigation in the Highlands and Islands.

There is scarcely anything certain in the pilgrimage of life but two, viz., mortality and taxation. Now 'taxation' without representation, as every honest man will allow, is hardly, if anything, short of tyranny.

After a careful study of this theme, I find that no fewer, or considerably over 3000 crofters are paying taxes in the Lewis alone, to one, we suppose, of the most enlightened and generous of Governments in existence, thus without ever having a representation, the result being that, in almost all cases (though naturally intelligent), they seem to belong to the far off ages of the past than living in the enlightened and fast nineteenth century, quite incapable of expressing themselves in public to advocate their just rights as adult males and honest householders in the human race.

Why has England termed herself 'the asylum of the oppressed' if she has extended enfranchisement to her colonies at large, and kept this noble liberty from this class of her most loyal people at home? Deprived of this 'liberty' has also deprived them of certain amount of moral courage.

For instance, at the time of the annexation with Canada of Hudson Bay territory, in 1870, 1871, and 1872 inclusive, it was my chance to be present at many of the treaties so successfully made between the Canadian Commissioners (empowered by a British prerogative) and the several Indian chiefs; and I can vouch that those 'chiefs' (with their men), almost stark naked, and besmeared throughout with their native clay, 'tac-kee (our ground), spoke out before those 'Commissioners' for over two hours on a stretch, and thus without fear, or even affectation in their elocution—totally uneducated; and drawing a line of comparison, I will, without difficulty, arrive at this—the one had a native liberty, the other deprived of that 'liberty.' In the fervent view of the Scottish Local Government Board Bill being passed next session of our Parliament, and in conformity with the real want of the Highlands and Islands, on the wide basis of administrative decentralisation it would do an incalculable amount of improvement in rural districts to extend the local franchise to every householder who pays for that noble liberty that has made other countries to prosper in unity and civilisation; it would also conduce to break the omnipotent cord the estate factors in those places have held so long, *i.e.*, great dread, and every public office surrounding them, except that of the parish minister. To proceed, I strongly advocate spontaneous—families and whole villages (not individual) — emigration to the colonies, with a chosen energetic young man as spiritual adviser. Canada being the nearest to Britain, and, above all others, has made the most generous efforts of inducement to all those who would come, to share their profits and losses together, and to fill up her 'second to none' illimitable

prairies with her own people. I can conscientiously assert, after an experience of twenty years in the Canadian north-west, knowing the country thoroughly in its genesis and in its growth, that I venture to vouch any overture that may be made by the British Government in this direction, to be one of the best and healthiest climates in the world for Highland people. The part of the Canadian north-west to which I should direct attention is in the same latitude as Penzance, England, and its summer mean temperature, as being wonderfully uniform, tells its own story, and may here be inserted as a guarantee for those who wish to look the subject up :—

XLVII.

Roderick
Campbell,
Neas, Lewis

	Lat.	Long.	June.	July.	August.	Mean of Sum. Mon.
Fort McLeod,	49° 41'	113° 33'	59° 20'	64° 43'	63° 30'	59° 30'
Penzance,	50° 8'		59° 3'	62° 2'	61° 2'	60° 9'

There is a westerly current named the 'Chinooks' which crosses the Rocky Mountains in the lower parts from the Pacific, and passes over the eastern plateau, which acts on this part in a manner similar to the action of the Gulf Stream on the British Isles—the which I have seen to raise the temperature in half a day to 50°. Consequently cattle and horses are enabled to live in the open all winter, the grasses being very nutritious. There is no getting over this evidence of facts. Why, the fact of the presence of vast herds of wild cattle from the beginning on those plains at so high a latitude may serve as ample proof of the climatology and productive capacity of this region, which contains at least between 400,000 and 500,000 square miles; and as I have a personal knowledge of this tract, I maintain it has a capacity to support at least twenty-five millions of inhabitants. The soil is also of an excellent quality, and not easily exhausted, black loam resting on clay sub-soil; and in the valleys vegetable loam resting on the alluvial drifts of the rivers, and is extremely rich—so rich that the cereals grow with a strength, luxuriance, and profusion of yield which are the wonder of the new comers. As it has always been a British maxim to receive well-founded grievances, I faintly hope that this portion of my statement will graciously receive all due attention and consideration it deserves, and that liberal means will be provided to serve the common interest, to establish a lasting change, by giving a free passage, one year or six months' provisions, some farming implements, a few competent men for one year to show them best how to get on in their new sphere; and placing them so in contiguous sections, I have no fear of their future welfare in this magnificent portion of Her Majesty's dominion. And I would further ask here, why not provide this remedy for the grievances and misery that have been reported this year in the Highlands and Islands, when we behold Britain daily receiving unto her bosom other nationalities? For instance, there arrived in Manitoba nine years ago a colony of 7000 or 8000 Mennonites from southern Russia; those received a tract of land forty miles of a stretch, and the 'Goshen' of Manitoba to boot; there they did dwell, and these are to-day, without a doubt, better off than many German princes. In the event that this project do not work satisfactorily, and this class remain as they are, I have no fear of predicting that matters will work before many years in the direction of a social volcano.

I shall now add a few remarks in reference to the Lewis. Supposing its resources were exhausted, I maintain that there is land presently held by tacksmen, arable, and convenient to fishing grounds, that should reasonably be given to grofter fishermen. To substantiate this, I was incidentally informed by one of these men, who said, that while North Galson was held by them that he with

XLVII.

Roderick
Campbell,
Ness, Lewis.

other boats used to land annually from 3000 to 4000 ling. This port is now vacant, and like it every farm that has been built in the island has been more or less the downfall of the poor man; and thus because those 'farms' embrace certainly the 'Goshen' of it. Secondly, there is much useless land in the outskirts of the arable in its present condition, but having good sub-soil, and easily reclaimable—the bringing in of which the present small holdings might be enlarged, and, indeed, in some localities where the moss has been extensively cleared off, new crofts might be laid out. In connection with this I should point out the necessity of better husbandry in the shape of draining, fencing, rotation of cropping; also grass-sown pastures, well protected for the use of the crofter or crofters reclaiming the same, with a lease of nineteen years, and a full compensation understood. Thirdly, the shape of the dwellings (as all people will allow) needing much improvement also. Fourthly, the promotion of the fisheries by harbours of refuge along the west coast, very much required to better the condition; likewise a readier access of fresh fish to market by a tramway from the west coast to Stornoway would also be a vast improvement in the circumstances, together with telegraphic communication. And lastly, the improving of our educational condition, recommending that, in the present overtaxed condition of the people, should be free to the poor, or at least that aid should be given in the supply of boots and clothing, &c., to the most destitute, would not only prove merciful, but highly honourable in those high latitudes (58° 31'). There seems also a lamentable failure in the schools, and children seem to be kept at school wasting their time, and not taught as they ought to be, especially when the age is increasing at which compulsory attendance was enforced in the Highlands and Islands of Scotland; having said so, I am rather inclined to blame the system than the teachers; and thus because, in the rural districts, many bright and intelligent children are unquestionably born of poor parents, who are, we must allow, quite unable to send these to higher city schools, so that at the higher standards must both the 'bright' child and teacher remain together—the one quite ready to take a leap in the more light, the other dare not advance another step.

The above sentiments are written entirely and wholly without any prejudicial motive whatever, as I hold no property in Britain—the radical principle being also foreign to my nature, but I fain hope I may safely use the terms of the ancient formula, that 'right shall be done in all cases.'

Reviewing the foregoing considerations, I am satisfied that the efforts of the Royal Commission—who will have to perform impossibilities to meet exaggerated expectations—will conduce to a favourable issue in bringing to light many drawbacks hitherto unknown; and that the Government in turn devote every energy to the promotion of new Acts in Parliament in the full assurance that efforts cannot fail to produce the happiness and welfare of this poor but loyal class in question.

RODERICK CAMPBELL.

XLVIII.

STATEMENT by Mr ALEXANDER CARMICHAEL as to Farming Customs in the Outer Hebrides.

XLVIII.

A. Carmichael,
Esq.

November 1883.

1. *Township*.—The English word township represents the Gaelic word 'baile,' as applied to a rural locality and to a country community. I prefer the word townland to township, having already used it in the paper which Mr Skene asked me to write for his *Celtic Scotland*, and which your Lordship was pleased to commend.

The word commune has unpleasant associations, but being descriptive of the social economy of the Highlands, I shall use it here.

The earliest mention which occurs to me of the word townland, is in Martin's *Western Isles*, published in 1703. This is the book which Dr Johnson says gave him a desire to see the Highlands of Scotland, and to which the world is indebted for Johnson's famous *Tour to the Hebrides*.

I think the word townland is recognised by law. I have seen it used in law documents. The townland has a collective existence in various ways—by tradition, by usage, by the conditions of the people, and by the treatment of the proprietor.

I shall endeavour to show this, and in doing so shall confine my illustrations to the Long Island.

All the crofter land in the Outer Hebrides is either wholly or in part held in common by the crofters of each commune.

There are three modes of holding the land by the crofters.

In some townships no part of the land is permanently held by an individual crofter. In this case, a third of the arable land is triennially allotted; in another, part of the arable land is permanently held, and the rest periodically allotted; while, in the third case, all the arable land is held unchangeably, the grazing ground alone being held in common.

All the crofters throughout the Long Island graze their horse, sheep, and cattle in common, each townland being, however, confined to its own special grazings.

2. *The Townland Constable*.—The crofters of each commune are presided over by one of themselves. This officer is called by the people the townland constable—Gaelic, constabal baile. In some townlands the crofters alone elect the farm constable; in some they elect him in conjunction with the proprietor; in others the proprietor alone appoints him; while not infrequently, people and proprietor have each a constable to represent them in the townland.

The crofters complain that when the proprietor, or rather the factor, ignores them in the appointment of a farm constable, the man thus appointed and paid by the factor is, unconsciously to himself no doubt, altogether too compliant to the factor, too often to their loss. Hence the people elect a man to look after their own interest, when the factor alone appoints the constable.

When a constable is elected, the crofters confer among themselves as to the man most suitable for the office. They meet, and this and all kindred meetings are all called nabac, 'neighbourliness.'

XLVIII

A. Carmichael,
Esq.

If the crofters meet during the day they probably meet at Cnoc Na Combairle, the Council Hill, or at Clach Na Combairle, the Council Stone. If they meet at night it is in some central house in the farm. Invariably these meetings are held at night to avoid losing time during the day.

To me these meetings of the crofters were highly interesting, as showing the ability of the people, their logical and legal acumen, their readiness of resource, and, I am happy to add, their invariable courtesy towards one another.

In seeing these respectable industrious crofters quietly, friendly, and judiciously thus arranging their farming affairs, often wet, weary, and hungry, without food, without rest, without having been home since early morning when they left for their work, I have felt that they are cruelly maligned.

When a crofter is elected constable of his townland, he takes off his shoes and stockings, and taking his bonnet in his hand, and bowing low and reverently, he declares on honour, in presence of earth and heaven, in presence of God and men—*Am fianuis uir agus adhair, am fianuis Dia agus daoine*—that he shall be faithful to his trust.

When the man stands with his bare feet on the ground, it indicates that his body is in contact with the earth of which he is made, and to which he returns. To emphasise this, he sometimes in bowing takes up a handful of earth and places it on his head.

This simple declaration of office is extremely impressive, though now, alas, becoming obsolete from the fears of the shallow thoughtless, and the scoffs of the severely wise.

Utilitarians say that 'the progress of civilisation is doing away with the 'rude ignorant ways of the people.'

It may be so. But the so-called 'rude ignorant ways of the people' were infinitely more manly and natural than many of the shoddy artificial ways by which they are being supplanted.

In some townlands the constable is elected or re-elected yearly; in some he is elected for a term of years, and in others he is elected for life. The practice varies in the various townlands, but the principle is the same throughout.

The services of the constable appointed by the factor are paid in money; those of the constable elected by the people are paid in kind. To compensate the constable for his time in looking after their affairs, the crofters of his townland give him grazing and tillage—*Gaelic, fiar agus aiteach*.

The duties of the constable are varied, delicate, sometimes troublesome, and require shrewdness, firmness, and judgment. The constable, however, is always assisted by his fellow-crofters, sometimes by the whole of them, as occasion may require.

Let me mention some of the constable's duties. The peat banks (*Gaelic, stail, poil*) of the farm having become exhausted, the factor or his ground officer points out a new peat moss for the people.

The constable divides this new peat moss into the necessary number of shares, or pennies'—*Gaelic, peighinnean*—lots are cast for these stances, and every crofter takes the stance which has fallen to him.

Lest a man should be placed at any advantage or disadvantage from his neighbours, these banks are again subjected to the lot (*Gaelic, crann*), in the course of three, five, seven, or nine years, as the people may determine.

A peat road—*Gaelic, utraid moine*—has to be made to this new peat ground. Probably the road has to be made over some miles of rock, bog, and moorland. It is the duty of the constable to see that every crofter in the townland gives his necessary share of free labour to make this road. He must see also that all

the bye-roads on the farm are kept in repair by the mutual co-operation of the people, and that where the roads are on a soft foundation, that no traffic is carried over them during or immediately after wet weather.

XLVIII.
A. Carmichael,
Esq.

To ensure equal distribution of labour, these bye-roads are divided into 'pennies.' The good and bad, the soft and hard, the steep and level portions of the road are thus divided, and each crofter has to repair his own share.

The constable engages the herds and shepherd of the farm, apportions their land, and collects their wages from his fellow crofters according to their rent. He sees that the souming of the townland is in conformity with the rules of the place, and that no man has a greater aggregate stock than his holding allows, according as he has a whole croft, a half croft, or a quarter croft.

Every townland has a cattle fold on the machair and another on the gearry. The machair is the irregularly broad plain of sandy soil on the edge of the Atlantic, and the gearry is the irregularly wide grazing ground between the machair and the moor, and which has been wrested from the bog and heathery waste by the hard splendid labours of the crofters. In wet weather the constable instructs the herd to keep the cattle on the machair, where the fold (Gælic, *cuthe buaile*), from the nature of the soil, is less wet and comfortable for the cows and the women who milk them than the fold on the gearry. The constable must see that the dyke round the fold is repaired in early summer before being used, and that the gate, so to speak—Gælic, *cliath na cadha* or *cadha-chliath*—is good. This term, *cliath na cadha*, literally the wattle of the gorge or pass, is curious. In wooded districts throughout the Highlands, where materials can be found, doors, gates, partitions, fences, and barns, and in some places dwelling-houses, are still made of wattling. Of old this wattle work was used largely by the Celts. It is believed that many of their early houses and churches were so made; and those best qualified to judge, notably Mr Skene, believe that Saint Columba's first church in Iona was constructed of wattles. The old name of Dublin—Gælic, *Dubb-linne*, literally 'black pool'—was and is *Bail-ath-clíath*, the town of the ford of wattles, from the first bridge over the river Liffey having been made of wattle work. Probably the interlacing so much used and so much admired in ancient Celtic sculpturing had its origin in this wattle work, occasionally called basket work.

An important part of the duties of the farm-constable is to measure and divide the arable land previous to lots being cast for the shares. In doing this he measures the land across and at the boundary of each share—Gælic, *earann*—he cuts an incision in the ground, such like the broad arrow of the Ordnance Department. This incision—Gælic, *beum*—is called by the curious name of 'torc,' being the Gælic name for a boar.

In reclaiming moorland the people cultivate the ground in long narrow strips, with deep drains between. This is an admirable way of reclaiming land, and the crops produced by these narrow strips, incorrectly named lazy-beds, are better than those produced by any other mode of tillage. The frequent drains dry the moss, very often morass, while the sun has access to the seed, not only at the top but also at both sides of the ridge.

Should the crofters of a townland have occasion to complain to the factor of a fellow crofter, a deputation from the crofters go to the factor to prefer the complaint. This deputation is represented by the constable alone or in company. The factor confers with the constable, gives instructions, and possibly removes the refractory crofter from his croft should he continue to offend against the customs of the commune.

The constable delivers information from the factor to the people as to the

XLVIII. day on which the factor is to collect rents and rates, as to new rules which the factor is to enforce, or old ones that he wishes more strictly observed, and so forth.

A. Carmichael,
Esq.

In the past the farm-constable had often to help the ground-officer—Gaelic, maor—to carry out directions under the factor. In this he had sometimes to help evicting the people, in pulling down the houses of near relations, even those of fathers and mothers, brothers and sisters.

The constable sees to cuartachadh a bhaile, which may be described as rounding or circuiting the crops of the townland. There are no fences, and when the crops grow up two men of the townland perambulate the farm all night, lest any of their own horses or cattle, or those of neighbouring farms, should break loose and destroy the corn. Each two crofters in the townland take this watching in rotation. Should the watchers be remiss, and damage—Gaelic, miastadh domail—to result, the two crofters responsible have to make good the loss. The constable appraises the injury and exacts the money; and in this the people are very exacting. As they say—‘Is e an cuntas goirid a ‘ni an cairdeas fada’—It is the short accounting that leaves the friendship long.

Those, however, who are thus exacting in pecuniary matters are nevertheless most considerate towards one another in other things. Should a crofter or his family be laid up with illness his fellow crofters help on his work. This neighbourly help is, I regret to say, becoming less as ‘the progress of civilisation’ among the people is advancing.

In connection with this watching, the people speak of a time when they had to kindle fires to scare away wild beasts from their flocks, as they have to do still to scare away deer and wild geese from their crops. In some places in the Long Island the people have to sit up all night to watch their corn from the deer. I asked the crofters if ever they mentioned this hardship to the factor. ‘Yes, we have mentioned it to him, and he told us that if we ever mentioned it to him again he would clear us all out to be out of the way of the deer. ‘We therefore keep quiet, but suffer.’

In some places the grey-lags (gtas-gheoidh) come down in such thick flocks in autumn as to wholly destroy the field on which they alight. The people are not allowed to shoot them, nor to fire at them, nor even to keep a gun to scare them away, so they resort in their watching to kindle fires. These fires look picturesque at night, and remind one of Campbell’s beautiful poem of ‘The Soldier’s Dream’—

‘By the wolf-scaring faggot that guarded the slain.’

The farm-constable buys fresh stock for his townland and sells the old. He will not allow a crofter to cart seaweed from the shore till his neighbours have reasonable time to be there, nor will he allow a crofter to cut seaweed when and where he likes. He must see that the run-rig land—Gaelic, rinn-ruith-imire—of one man is not allowed to lie under water to the injury of the man to whose lot it may fall at next allotting.

ALEXANDER CARMICHAEL.

XLIX.

STATEMENT by JOHN BRUCE, Esq. of Sumburgh.

*(See Evidence, pp. 1372 and 1216 et seq.)*SANDWICK, LERWICK, SHETLAND, SAND LODGE,
8th August 1883.

XLIX.

John Bruce,
Esq. of
Sumburgh,
Shetland.

I HAD written fully to the Rev. G. Clerk, Free Church, Conningsburgh, on the statements given by the delegates to the Crofters' Commission, to offer to them an opportunity to examine the facts, to correct their evidence, and report to the Commission, when I was informed that Mr Clerk had left Shetland not to return for some weeks; and, therefore, I now address my letter to your Lordship and the gentlemen of the Commission.

Mr Clerk stated, on 'they say' evidence, that 'I had taken an unfair advantage of James Smith of the cottage,' and this he has done without having asked any explanation from me, or even having spoken to me on the subject. I hear also that James Smith sent a letter to the Commissioners, which was handed to my son to read in court. I do not know its contents, but I deny altogether that I have taken any unfair advantage of James Smith. He rented Hill Cottage from me from 1856 to 1876, twenty years, at a rent of £3 and £3, 15s. per annum, equal to a lease, without any other rise of rent or any written lease. In 1861 he asked me to give him £12, as he said, to plish his house and make it more comfortable, and he offered to pay 15s. more rent. I gave him the £12. Evidence, p. 1399, line 46

I afterwards gave him the waste land round his house—about an acre—to cultivate, and help to keep a cow, and for this I never charged him any rent. Prior to 1860, James Smith had asked me for a lease, which I might have granted then had we met and come to an agreement as to conditions. About 1860 he again asked me to give him a lease, which I at once decidedly refused to do; and he must have quite understood why the lease was refused, for he has never asked me again to give him a lease. He commanded a packet boat between Sandsair and Lerwick, and when he was in town he was apt to indulge; and we could not submit to have so near a neighbour given up to habits we could not approve of, without some check in case his habit should become a nuisance to us and his nearer neighbours, and, given a lease, we had no check during the lease. Several of my respectable tenants have leases—one for life, one fifty years, and several for shorter periods.

Laurence Jameson, another of the Conningsburgh delegates, has stated, along with other fictions, 'that twenty or thirty years ago, our fathers were bound to fish to the proprietors, some of the men stuck out, and did not do so, and they had to pay for one man 20s., and for two men 50s., &c.' This is untrue. The truth is, that I have settled with all the tenants, from 1827 to 1874, when I resigned the management to my son—forty-seven years—and never took one penny from old or young men who did not fish to me; and every boat's crew, as they settled, got from me the boat's account, and every man his own account, that if there was any mistake, they had only to bring me my own writing, to have it corrected. The men expected the proprietor to order in for them nets, lines, with all kinds of stores and provisions for the season; and, as a matter of course, he binds the men to fish to him before he orders in their stores, &c. The tenants pay day's work, as part of their rent, to cut his peats, Evidence, Q. 18510.

XLIX.

John Bruce,
Esq. of
Sumburgh,
Shetland.

lead them home, hoe his potatoes, cure his hay, &c. Without such an agreement, the proprietor, in the busy summer time, could get no labourers, and therefore he could not reside in the country amongst his tenants; and on the same account they had to pay some poultry, or the proprietors would often be reduced to short commons, there being no butchers but one at Lerwick. We never refuse a new house where the ground officer and the mason reports it to be needful; and my dimensions are 30 feet long by 12 feet broad, with 6 feet of wall and two windows. Many of the tenants of old having made their byre the portico to their dwelling-house, are loth to alter it. The byre portico keeps the house warm, and the fire of the house keeps the cows warm.

JOHN BRUCE.

L

STATEMENT by JOHN BRUCE, Esq., Yr. of Sumburgh, Shetland.

SUMBURGH, SHETLAND, 19th July 1833.

L
 John Bruce,
 Esq., yr. of
 Sumburgh,
 Shetland.

The crofter, from a landlord's point of view, is not a desirable tenant.

Though in some cases more rent is paid by crofters than could be got from a large farmer, as a rule the opposite is the case, while the collection of a number of small rents involves a great deal of trouble and almost always a loss in arrears.

A crofter is, as a rule, not an improving tenant, and when he does improve, his improvements are usually executed in the cheapest and most temporary manner—as might be expected in the case of a poor man wishing to make every penny go as far as it can.

A large crofter population, as a rule, means high poor and school rates.

The crofter is, as a rule, a very bad farmer, and does not do justice to the land he cultivates, and consequently fails to reap a full return for his labour. He is, however, improving in this respect, especially in those districts where a rotation of crops has been introduced. In such districts a system of cultivation by rotation had to be forced on the people, but after a year or two they have invariably seen the advantage of it.

On the other hand there is the pleasure to a proprietor of having a large population on his estate, and the satisfaction of seeing this population advance in prosperity under his management—and few proprietors born and living on their estates would like to part with their crofters.

From my very limited information on the subject, I would draw this distinction between the West Highland crofters and the Shetland crofters. The Highlander is a Celt, while the Shetlander is almost a pure Norseman, and the old Viking blood still shows in his propensities. In only one district in Shetland is there any marked indication of Celtic or old Irish blood.

While the West Highlander is a crofter doing a little fishing, the Shetlander is a fisherman with a little croft.

There is as much attachment to their native country among the Shetlanders as there can be among the Highlanders, but the enterprising Shetlander is always ready to go abroad to better his condition.

Consequent on our large population as compared with our rental, poor rates in Shetland are very high, but the number of paupers as compared with the population will compare favourably with other districts.

In consequence of the number of young men who leave the country as sailors, we have a considerable surplus female population, and most of our paupers consist of elderly women in infirm health who have not been married, and who on the death of their parents are left without any near relation able or willing to support them. We have few male paupers, and these are for the most part very old men who have no sons. As a rule Shetlanders are very kind to their parents and consider it no hardship to support them, and many a son at sea or in the Colonies supports his parents in Shetland in plenty and comfort by regular remittances, and many a daughter in good service in the south sends a considerable part of her wages to her aged parents in Shetland. We have few women with illegitimate children, and these are seldom a burden

L.

John Bruce,
Esq., yr. of
Sumburgh,
Shetland.

to the parish. The illegitimate son when he comes to man's estate, as a rule looks as well after his mother as if his birth had been legal. One great burden on the rates is the lunatics. Without correct information on the subject, I am of opinion that we have more than an average of lunatics. Whether the frequent inter-marriages among relatives has anything to do with this or not, there is almost no such thing as drunkenness (credited elsewhere as a great cause of insanity) in the country.

It would be a great relief to this country were the Government to relieve the parishes altogether of the cure of all lunatics certified as proper persons to be confined in asylums, and such an arrangement would remove the temptations that exist to keep a lunatic at home as long as possible, taking away (I fear in some cases) the chance of recovery which immediate proper treatment in an asylum would give.

The present law of settlement imposes an undue burden on Shetland, from the fact that our rapidly increasing population overflows into other parts of the kingdom; for instance, one of our young men leaves Shetland as a lad just when he begins to earn money, marries a wife say in Leith or Glasgow, spends his life as a sailor, and as such seldom gains a residential settlement in any parish, and at last dies leaving his widow (a native perhaps of Glasgow or Leith, who has never been in Shetland) a burden on the parish of her husband's birth in Shetland, though the husband may have neither earned nor spent any money in Shetland during his life. Again, a girl goes south to service in Edinburgh and changes about from place to place, never remaining for five years at a time in any one parish, and when she gets sick or old, is thrown back on her parish of birth, though all her working years have been spent out of Shetland.

A Shetlander depends on his fishing. Were there no fishing it would be impossible for the average crofter to make a living on his croft without turning his hand to something else, even if he owned his croft, or had it rent free.

As everywhere else we have industrious and lazy men. The industrious crofter makes a very good living. The produce of his fishing pays for his rent, his clothes and his meat, groceries, &c., and leaves him a margin to save; while his farm gives him milk, butter, eggs, and butcher's meat, and as a rule keeps the family in meat during the winter.

The Shetlander marries young, and when he has a large family he is often hard enough up for the first few years, till the eldest of his children begin to earn something; but as the children grow up they help their parents, and the prosperity of the family is secured.

The material condition of the Shetland crofter has been for many years and is steadily improving, and I see no reason why, under existing conditions, the improvement should not continue.

There is no great desire on the part of the Shetlander to subdivide his croft. There is a great deal of independence in the Shetland character, and a young man will rather go abroad than settle on land he considers too limited. Our birth rate is very far in excess of our death rate, but there is a constant exodus of young men going to sea or to the Colonies, and young women going south to service, which keeps our population from increasing. Shetlanders are to be found all over the world, and wherever they go they do well—not that they are more clever and industrious than their neighbours, but they are steady almost to a man.

We have the same difficulty about house accommodation which exists wherever men are from London down to Shetland. A man in the position of an unskilled labourer cannot afford to pay the interest on the money it

would cost to provide him with such lodgings as we would like to see human beings occupy. It follows that a landlord, simply as a landlord (and unless he is very rich he cannot afford to be a philanthropist in stone and lime), cannot afford to build good labourers' or crofters' cottages such as he would like to see his tenants in. Take the case of a crofter in Shetland paying £5 of rent. To build a nice, suitable, three-roomed, slate-roofed cottage, it would take £120, which at 5 per cent. would be £6 per cent. more rent. The man can afford to pay £6 for the croft and live in his present house, but he cannot afford to pay £11 for his croft with his new house on it. If the Government would lend £100 for each house at a sufficiently low rate of interest, we would hope soon to see the Shetland crofters housed as they ought to be.

Notwithstanding the difficulties in the way, the house accommodation of the Shetland crofters has been and is steadily improving, while year by year more attention is paid to sanitary matters. A reformer in this line must have patience. He must convince the more intelligent of the people that his ideas are right, and he must carry public opinion more or less along with him, and any advance in this way is necessarily slow. It is useless to try to force reform against the wishes, the prejudices, or judgment of a combined population. It is only washing the sow. Should the Commissioners pay a visit to Fair Ash they will see an experiment in improved house accommodation being carried out there with I think marked success.

As a rule the very poor are improvident or lazy, or both; if they were not so they would not long continue very poor. All men are the better of being ruled, and the more lazy and improvident a man is the more he requires to be ruled. Even a despotic and arbitrary ruler is better than no ruler at all, and I venture to say that you will find the most prosperous crofters are those who are under the management of a resident landlord. It is the interest of a resident proprietor to promote everything likely to benefit his tenants and to oppose anything likely to injure their position, and in many cases he is better able to judge what is good for them than they are themselves. He will probably take more out of them in the way of rent and otherwise than an absentee, but he will more than give it back to them in other ways. The Shetland crofters, though as a rule they are neither lazy nor improvident, pre-eminently require a resident proprietor.

Most Shetland crofters decline leases. Attempts have been made to introduce nineteen years' leases among them with little success. I venture to say that in the district with which I am best acquainted the crofters are and feel themselves to be as secure from eviction as if they held liferent leases, and that no case can be pointed out where a tenant having made improvements has left these improvements without compensation.

The scatholds or common hill pastures used to be held in common not only among all the tenants on an estate, but in many cases among a number of different proprietors. There were no rules or restrictions as to the use of these scatholds, and each proprietor and each tenant might put as many head of stock on the common pasture as he liked. The consequence was as always, that the active man came to the front. One man paying £5 of rent might have one hundred sheep on the hill, while his neighbour paying the same rent and with the same right to pasture might not own a single sheep. The consequence of this state of matters was that the pastures were excessively overstocked. The stock on them was always in bad condition, and the death rate among them was extremely large, reducing the profit made even by the largest stockowners to a minimum. There was a constant struggle by those

L

John Bruce,
Esq., yr. of
Sunburgh,
Shetland.

L.
 John Bruce,
 Esq., jr. of
 Sumburgh,
 Shetland.

who had small stocks to get a footing for more stock, and by those who had large stocks to hold what they had, and a great deal of ill feeling, which did not always stop at feeling, was produced.

As soon as the crops were off the ground, the whole starving hill stock was admitted into the arable land, when they soon consumed every green thing, and where they remained, or such as survived of them, till spring, effectually preventing any crofter, if so inclined, from growing such crops as turnips or sown grasses.

Except in the case of the owners of very large stocks, to which property they had no right, I do not consider that the tenants had any profit at all out of these hill pastures. A man with a few sheep would spend so much time in the hill looking after them that the few pounds of wool and the few emaciated lambs he got were dearly bought if he valued his labour at what it would have produced at any other employment.

In many cases the hills still remain on the olden footing, and in some cases any change is impracticable while the hills or scatholds remain undivided among various proprietors.

In many cases, however, a change has been made. The hills or parts of them have been enclosed and sheep drained by the proprietor and made into sheep runs. Or the hills have been left with the tenants under regulations limiting the amount of stock to be placed on them.

The responsibilities of a landlord of crofters are very heavy, and any change involving the welfare of so many fellowmen requires great consideration and judgment; and even when a landlord has full faith in his theories, he must advance slowly and with great caution, and be guided by the experience he gains step by step, and even then he would be more than human if he did not often make mistakes. As far as my experience goes, I am of opinion that a middle course is best for all parties. The hills are too extensive to be profitably stocked by the crofters, looking to their limited extent of arable land, and I consider that where a part of the common is made into a separate sheep farm and a part left with the crofters, either as a Club Farm or under other suitable regulations as to management, that the most desirable arrangement both for landlord and for tenant is likely to be obtained.

Rents have increased very largely during late years, but only in proportion to the increased value of stock and farm produce.

From want of communication, Shetland was a long way behind the rest of the country, and though of late years our development has been rapid, we have still much leeway to make up.

150 years ago the pound Scot would go as far as the pound sterling will now, and the rental of 100 years ago would do little more than pay the present poor and school rates.

In some districts, formerly in all, the crofters give so many days' work on the landlord's home farm. The rent is supposed to be the value of the land the crofter occupies, in which value his house and peats are not included, and the days' works are supposed to be the rent of the house. Thus if a crofter went away, and his croft was added to that of his neighbour, one house would be done away with, and one set of days' works lost, the remaining tenant paying the money rent of the two farms, but only one set of days' works for the one house.

Shetland is not the only place where labour forms part of the rent. On many estates in England and Scotland the tenants cart the landlord's coals, &c., free of charge.

In some districts, formerly in all, the tenants pay so many fowls as part of their rent. This practice probably dates back to the time when the Norse Lords moved from place to place through their domains, each district supporting the Court while it remained with them, and when all payments were made in kind.

The same sort of thing is to be seen in the hawk hen still paid in some parts of England, and in the puppies which fox hunting landlords expect and require their tenants to rear for them.

Both the days' works and the fowls are valued, and it is in the option of the tenant to make the payment in cash or in kind.

Where tenants hold from year to year, the rule on my father's property is that the land will not be revalued within 19 years of the last valuation, and that an outgoing tenant gets paid for or is at liberty to remove his improvements. Should a tenant think the valuation put on his farm too high, he can apply to the landlord for a mutual valuation by two men, one named by the landlord and one by the tenant, and in this case should the mutual valuation be lower than that of the landlord the tenant gets the benefit, but if higher he makes himself liable to pay the higher valuation.

In some districts where the landlords have built curing stations, the tenants are expected to deliver their fish at these on equal terms to what they can get elsewhere, but the time is past when such a regulation would be considered a real grievance, or its infringement treated as a very serious matter.

These islands have been treated with very little consideration by the Government (it may be thought an open question if we may not some day be claimed back by Denmark), and yet perhaps no poor little place has shown so much pluck in public matters as the islands of Shetland.

The Highlanders objected to a change of dynasty, and they had splendid roads and bridges made for them. We gave no trouble, and so were left without a road till we had the courage to go to Parliament, with a little bill of our own and get power to assess ourselves, and the expense of the Zetland Road Act, which should have been an imperial matter, is a heavy burden on our rates to this day.

We are more heavily taxed than any other part of Her Majesty's dominions. The Scot or old Norwegian land tax was continued, and is paid to this day; but nevertheless the Scotch land tax was imposed on us in full. Ireland escaped assessed taxed, but every little Shetland pony we dared to put a saddle on and ride to church or market, was charged for as if it had been a thoroughbred.

We are a community of sailors, and our brothers at sea get their stores duty free, but we on shore are punished with fine or imprisonment if we presume to buy a pound of tobacco or a bottle of Schiedam from our Dutch friends (for long the only quarter from which we could procure these luxuries, and with whom we have fished side by side in peace for centuries). The Government spend more money in hunting poor fishermen, who only smuggle a little for their own use, than all the revenue to be got out of them. It would be a saving to the revenue, and only a proper encouragement to the Shetland fishermen, to give them their tobacco duty free.

No place is more in need of improved harbours. In many parts of Shetland we can't use larger boats, because we have no harbours to save them in and no piers to land at, but Government has done nothing for us. Even when the plucky little town of Lerwick determined to build a pier, the Government refused to lend the money though the security was good, and we have had to borrow the money from private capitalists at a higher rate of interest.

L.

John Bruce,
Esq., yr. of
Sumburgh,
Shetland.

L.
John Bruce,
 Esq., yr. of
 Sumburgh,
 Shetland.

We hold our land under udal right, which gives us the sea shore, but Government step in and claim the foreshores and interfere with us in our little attempt to improve our landing-places. We believe we are legally right, and the Government legally wrong, but we are too poor to go to law with the Crown, and have to give in.

We ask for telegraphs, and the Government ask us to guarantee the expense, and that at an exorbitant rate. What would you think of a landlord who would only build a house for his tenants at a rate which would repay capital and interest in seven years, leaving the house the property of the landlord at the end of that period without cost; but these are the terms the Government ask us for telegraphs.

We want piers and harbours at our fishing stations and telegraphs to them, and the public money it would take would not affect the general taxation, and though it might not pay directly just at first, it would pay hand over hand indirectly in the increased trade and prosperity of the country.

We have the finest Naval Reserve for our population in the British Isles. It is worth an effort to keep these men employed at home rather than see the pick of them going off to Iona or Colorado and becoming American citizens.

Under an inquiry such as the present, a landlord is placed in a sort of pillory; his past career is searched for failings and errors of judgment, and these are dragged forward and magnified and distorted by hostile critics, while any little good he has attempted is ignored. Can it be wondered at if he appears at a disadvantage?

I was not aware of your meeting at Lerwick on the 13th inst. till after it was over, so could not attend, but I have seen the evidence given by Laurence Jamieson as reported in the *Scotsman*.

Evidence,
 p. 1216 *et seq.*

This man gave up his croft and emigrated to America in 1877. After a year or two he returned to this country and I was able to arrange that he should get back his croft.

I do not know how far Mr Jamieson represents the feelings of the crofters in Cunningsburgh, but I understand his complaints are—

1st. That the tenants' rents were raised. I made a revaluation of the property in Cunningsburgh to take effect in 1872, notice of which was given to the tenants on 22nd Sept. 1871. From this valuation the scathold outside the hill dyke was excluded. Laurence Jamieson agreed to the rent put on his croft. His present holding, however, only dates from 1880. If the value of stock formerly and now be compared with the rents at the same periods, it will be seen that the present rents are not proportionably high. Mr Jamieson greatly understates the quantity of stock kept by the tenants.

2nd. That a part of the hill pasture was taken from the tenants. I enclosed a part of this pasture in the winter of 1874-75. My views on the subject of scatholds and commons have been already given. If this witness had been examined as to the quantity of stock he had on the pasture before I made the enclosure, and what he was able to keep afterwards, it would have appeared whether and to what extent his position had been affected.

The tenants were unwilling to agree to take the enclosed hill as a club farm, and I kept it in my own hands. At the request of the tenants I agreed that they might remove my fence so as to throw out a part of the enclosed ground, on the understanding that they should hold the part so thrown out rent free, till such time as the neighbouring scatholds in North Cunningsburgh were divided. The cost of the removal of this fence, which amounted to

£16, 13s., was paid by one man, William Laurenson. How much, if any, of this came from Laurence Jamieson I do not know.

3rd. Days' work and poultry charged. Mr Jamieson's statement as reported is incorrect. What he says is paid for each merk is only paid for each farm. These are simply rent, as has been already explained. Laurence Jamieson has not paid his fowls since 1880.

4th. That he is not allowed to take fowls or sculf from the hill. The tenants can take as much as ever they like from places where the ground is of any depth, but they are not allowed to sculf the ground when there is nothing but a turf on top of the channel. Only a very lazy man would wish to spoil the pasture just under the hill dyke rather than go a few yards further where the soil is deeper.

5th. I understand he complains of an agreement entered into by some of the tenants to fish to me. I will explain this.

I entered on the management of my father's property in Cunningsburgh in 1869. It then consisted of sixty-nine holdings at a rental of £194, 19s. 7d., and the arrears of rent due were £487, 10s. 3d.

I have not and never had anything to do with their fishing (Mr Jamieson's statements seem a little confused now), but I took care to ascertain the wishes of the people as to my establishing a fish-curing station, should I find it necessary to do so in the event of the people continuing to drift into poverty through improvidence and mismanagement. This proved unnecessary. The people have prospered ever since, have paid their rents well, and are now free of much indebtedness, and most of them have money at command.

Notwithstanding the indifferent husbandry practised in the district, a great part of the land is very fertile and grows excellent crops.

JOHN BRUCE, Jun.

L.

John Bruce,
Esq., yr. of
Sumburgh,
Shetland.

LL

LL

STATEMENTS by Major THOMAS M. CAMERON, of Garth and Annsbrae.

Major T. M. Cameron of Garth and Annsbrae, Shetland.

(See Evidence, p. 1278 et seq.)

LERWICK, 20th July 1883.

I.—With reference to the evidence given by some of my North Yell and Uist tenants before the Commission at Baltasound on the 16th inst, as per accompanying slips from the *Courant* of the following days, I beg briefly to state, in answer to the evidences marked 1, 2, 3 and 4 on the slips—

Evidence,
Q. 19752 et seq.
Q. 19864 et seq.
Q. 19931 et seq.
Q. 20474 et seq.
Q. 20491 et seq.

1. When Cullivoe was subdivided and fenced in, each holding was valued and a rent fixed thereon in proportion to what the croft under proper cultivation could raise in shape of crop and stock, quite irrespective of former rent, which had never been raised for at least sixty years prior to 1876, notwithstanding the value of stock had risen some 300 per cent.

In my boyish days a cow's hide was equal in value to her flesh, and salted beef sold at 3d. per lb.

2. *West-i-Firth*—There were only fifteen crofters with rents ranging from 7s. 6d. to £6, in all amounting to £52, 12s. 6d. At the same time, their arrears of rent ran from £14, 15s. to £34, 15s., aggregating £137, 11s.

Was it not full time for the landlord (*i.e.*, the writer) to remove them? Two crofters who elected to accept leases are there now and doing well, though they have no privileges, except for peats, outside the wire fences enclosing their crofts.

3. I have no crofter of the name of Archibald Smith in North Yell. He says—On the “west side of the island” and his land was “quite close to Unst,” which is simply absurd—as North Yell lies to the west of Unst; any land on the west side of North Yell cannot be close to Unst.

4. The Balliasta rents were also fixed by valuation, having reference to what the croft was worth at that time.

Evidence,
Q. 20491.

If James Bruce's house is in bad condition, it will be repaired at my sole expense on my factor reporting the fact. In the immediate vicinity of Balliasta I have an allotment of scattold of 327 acres which my Balliasta crofters could have rented for a few pounds, but they never asked me for it. A late crofter paid £5 for part of it, and since his death I have only got £1 or £2 for it, for grazing ponies during summer. I have now let the allotment for a period of nineteen years to Mr D. Edmonston of Bunes for £2, so my Balliasta crofters have of their free will lost their chance of paying for scattold, which some said before you they were willing to do. As a rule, one and all object to pay. My crofters' rents in Unst range from 5s. to £12. Generally the crofters will not improve nor enlarge their arable ground; they turn the soil down hill, thus by degrees leaving no soil whatever at the top of the fields; leave open drains between each field with perhaps one or two yards of grass on each side, instead of putting in a covered drain and cultivating the present narrow strip of grass, which is too narrow for any practicable good, spade labour being the rule.

In conclusion, I would beg to remark, that so long as the scattolds were

undivided (as well as run-rig arable lands), no proprietor could lay his finger on his share, and consequently could make no regulations regarding the same, nor prevent any number of squatters taking possession, and by prescription acquiring a right to the soil.

When a division took place circumstances were altered. The suing out a division of scattold costs a deal of money, and the proprietors are entitled to recoup themselves in some legitimate way. I hold the crofters have no heritable right in the common nor in their holdings of arable ground, but may hold the same under agreement. As a rule, I have never removed a crofter on 40 days' notice. He may remain without any lease so long as he pays his rent. If a man is irretrievably in debt, he is told at Martinmas (settling time) that if something is not by Whitsunday following paid to account, he must consider he has received notice to remove.

If any farther proof was required as to increased value of land, crop, and stock within the last 50 years, I merely refer to the valuation of teinds in the parish of Unst of 1821, when teinds were fixed for ever at 2s. 4½d. per merk, and resigned to the minister. At that time the island of Uyra and a few merks in Unst were omitted, and in 1870, when an augmentation was sued for and granted, the rate on lands omitted was 4s. per merk. If land had increased so much in value, and proprietors were obliged to pay higher taxes, have tenants at will any claim to a reduction of rent while receiving threefold prices for stock and fishings—landlords' household expenses being increased *pari passu* as well?

The argument cannot hold good.

I have property in nine parishes, and have paid my share of expense of building and repairing of kirks and manse therein from time to time, but I have never charged my tenants nor crofters with one farthing on account thereof. I have a share of seats in said kirks, but have never charged seat rent, which most other proprietors do.

THOMAS M. CAMERON,
Major, of Garth and Annsbrae.

II.—I have been Convener of the County for nearly twenty years. I am a proprietor to a large extent in the Islands of Shetland. I am 64 years of age—a retired major in H.M.'s Bengal Service, &c., &c. I was born in Lerwick, and in 1838 went out to India; in 1861 I retired from H.M.'s Indian Service and settled in Shetland (having been on furlough during 1850, 1851, and part of 1852). Therefore, it is since 1861 that I speak as a proprietor.

I have made out a few statistics which, if worthy of your listening to, I shall be glad to read; but if they are what, no doubt, you already know or might find out from returns, I must apologise for taking up your time in listening to them:—

Population, 1871,	31,608
„ 1851,	29,705

Decrease owing to emigration and census taken when many men were absent as sailors, &c.

Valuation (County), 1878-79—£36,499, of which £7431 applies to the burgh.

„ 1882-83—£42,441, and heritages by £9432.

Increase owing to properties held by owners being raised, not crofters' rents.

LL

Major T. M
Cameron of
Garth and
Annsbrae,
Shetland.

II.

Major T. M.
Cameron of
Garth and
Annabrae,
Shetland.

County assessment—

General assessment,	1½d.
Prison and valuation,	1d.
Court-house,	1d.
Local Authority,	0¾d.

Total, 4¼d.

Road assessments—Vary from 1s. 4d. in mainland and 1s. in Yell to 3d. per pound in Islands, one-half payable by tenants.

Poor assessment—Unst, 3s. 6d.; half on owner, half on tenant.

North Yell,	4s. 4d.	”	”
Mid and South Yell,	4s. 0d.	”	”
Delting,	4s. 5½d.	”	”
Tingwall,	4s. 8d.	”	”
Lerwick,	2s. 0d.	”	”
”	2s. 2d., on occupiers (police).		
Bressay,	5s. 3d.		

School rate—Unst, 1s. 6d.; half on owner, half on tenant.

North Yell,	2s. 0d.	”	”
Mid and South Yell,	2s. 6d.	”	”
Delting,	2s. 2¾d.	”	”
Tingwall,	1s. 0d.	”	”
Lerwick,	0s. 4½d.	”	”
Bressay,	0s. 6d.	”	”

Registration, ½d. to 1d.

From my point of view, the crofters in Shetland have very little to complain of, but the landlords have a cause of complaint against their crofters, viz.:—Houses are expensive to begin with, costing from £30 to £40, and are repaired by the landlord; and repairs, such as yearly thatching, incumbent on the tenant, are not always executed. I have known tenants in my father's lifetime come to Belmont with sufficient money to pay their rent, and go home with a couple of pounds in their pockets, having pled poverty, &c., thus leaving their account just so much in arrears; and a tenant once in arrear, as a rule, remains in arrear more or less to the end of the chapter.

Only a few days ago I paid my share (half-cost) for enclosing a farm in Nesting, of two merks or 117 acres, rent of which is £5, exclusive of interest on fencing. For the same farm a new house three years ago cost me £35. I had also to erect a cottage at Garth which cost me £527.

General repairs in—

Unst, 1880,	£64
North Yell, 1880,	67
Unst, 1881,	65
North Yell, 1881,	35
Unst, 1882,	45
North Yell, 1882,	74

Two attempts have been made in Lerwick to get up a combination poor-house for the county, both of which failed, simply because the country parishes would not combine. I rather think Mid Yell declined, and has no right now to complain.

Many crofters speak of having so many “acres.” What they refer to and mean is so many “merks,” a very different thing from acres, of the extent of which many have not the most distant conception.

On my property in Nesting :—

Two merks = 16·190 town allotment.

Hill allotment = 101·184, according to division of 1880.

II.

Major T. M.
Cameron of
Garth and
Annabrae,
Shetland.
Evidence.
Q. 15307 *et seq.*

A John Omand left my property about five years (ago), but while the property had been under my management his rent had not been raised—certainly not since 1874, when John Omand's and G. W. Williamson's rent at Gardon was £8, 3s. If John Omand is the same person I refer to, I have now a scroll lease made out for him when my tenant in Vigon, North Yell, which he refused to accept. In short, any evidence given by a crofter must be accepted with a certain amount (and that a pretty large one) of salt.

I was told yesterday evening that evidence appeared in the *Scotsman*, somewhat damaging to me as a landlord, as to doubling rents.

I never read the *Scotsman*, so I cannot quote the evidence ; but I flatly deny ever having doubled any crofter's rent without giving more than an equivalent. A crofter, for instance, who held one farm, on taking a second would surely expect to pay more than for the one—though, as a rule, if a crofter takes two farms instead of one, he gets both at a less rent than formerly charged for both, as I am thereby saved the expense of keeping up two cottages. But if the said evidence is on a par with John Omond's, I have no doubt it could be as easily refuted as his.

I offered leases to all my tenants. They now number some two hundred and forty-four, and some forty-four or less have accepted leases, but only in so far that the tenants look on leases as merely binding on the landlord and not on themselves, for they throw up the lease whenever it may suit their convenience.

The system of truck, that is, carrying earth down to the subsoil (*sic*) from outside the hill-dykes of farms to replenish the arable ground in consequence of raising the same crop from the same patch of ground year after year—in other words, not having a proper rotation of crops—is most ruinous to the hill pasture, along with their refusing or neglecting to lay down the top-sod of peat ground ; and that was one principal reason for my offer of leases under certain conditions, as per copy submitted. In 1871 or 1872 my Bressay tenants, in consequence of the regulations contained in my leases, rose in mutiny. Having passed the Indian Mutiny of 1857 I did not wish a second, and therefore, at a great sacrifice, I sold the island.

At a very rough estimate, and, I believe, much below what it really is, the area of my present property is 26,000 acres, and the rental (gross), excluding fractions, £2238.

The public burdens, rates, and taxes were :—

In 1880,	. . . . .	£596 14 7
In 1881,	. . . . .	535 17 4
In 1882,	. . . . .	558 6 6

besides which I have to pay a yearly rent-charge of £700 for improvements.

My share of the new Delting manse, built some eight years ago, was £177, 15s., and so on in proportion for rebuilding and repairing kirks and manses in nine parishes.

LI.

Major T. M.
Cameron.

ARTICLES, REGULATIONS, and CONDITIONS of LEASE, which are to have the same effect as if engrossed at length in the Leases agreed betwixt the Proprietor of the Estates of Garth and Annsbrac on the one part, and the Tenants of said Lands on the other part.

Length of
Lease and
Rent Term.
Payment of
Taxes.

1. The lease shall be for ten years from Martinmas. The rent shall be due and payable at the term of Martinmas every year.

2. Such local or other taxes as shall be levied upon tenants shall be duly paid by them when due, or if advanced by the proprietor, shall be settled for along with the rent.

Sub-letting,
&c.

3. The tenant is bound not to sub-let or assign in whole or in part, directly or indirectly, without the permission in writing of the proprietor or his factor.

Without similar permission only one family shall occupy the subject let. The head of the family is responsible for the conduct of all the members of same. The tack is to go to the lawful heirs male of the tenant, according to seniority in the first instance, and failing heirs male to the heirs female by the same rules, without division. But the tenant is allowed, notwithstanding, by a written deed or letter under his hand, to select any one of his children in preference to another to succeed him in the lease, who will be recognised and received as tenant upon due information being given in writing, provided that the lease descends to the individual named free and unencumbered.

Repairs to
Houses, &c.

4. The tenants are bound to maintain, keep, and leave at the end of their lease in good tenantable condition the houses, and all permanent improvements handed over, or that may be added during the lease.

Inclosing and
other perma-
nent Improve-
ments.

5. In consequence of the land being unenclosed, and in need of draining and other permanent improvements, the tenants are bound to annually expend upon their farms, in such manner as may be pointed out by the proprietor or his factor, improvements equal in value to the amount of the annual rent. During the first five years of the lease the proprietor will allow annually an amount equal to one half of such permanent improvements as may have been executed in a satisfactory manner (said amount in no case to exceed one half of the amount of rent). During the last five years of the lease, the tenants are bound to pay in addition to the annual rent a further rent charge, at the rate of seven per cent. per annum upon the total sum or sums allowed for improvements during the first five years of the lease.

Rotation of
Cropping.

6. The practice of continuing to labour without any regular rotation, and to exhaust the soil by over-cropping being extremely prejudicial both to the interests of the proprietor and tenants, it is stipulated that every tenant shall follow a five-shift rotation of crops in the order after described, viz., one-fifth of the farm under summer fallow, or green crop properly cleaned and dunged; two-fifths to be under corn crops, but not immediately following each other in the same division, and two-fifths in first and second years' grass. During the first three years, as it may be impossible to follow the rotation, the tenants are bound to follow such orders of cropping as may be pointed out by the proprietor or his factor.

Selling Straw,
Turnips, &c.

7. To insure the improving of the lands, no tenant shall be at liberty to sell or otherwise dispose of any straw, turnips, hay, or dung produce upon his farm. All that class of produce must be consumed on the farm, unless with the written permission of the proprietor or his factor.

Way-going
Crop.

8. In compensation for the tenants leaving their lands in a more improved condition, and for being prevented from disposing of certain portions of their crops, the tenants are to be paid for the grass seeds sown with the way-going

crop, as also for their straw, hay, and turnips left at the end of their lease, and for all dung made during the last six months of said lease, all at the value as appraised by two arbiters mutually chosen.

9. To insure improvement upon stock, no tenant is allowed to keep any bull-stallion, ram, or boar, except such as has been approved of, and permitted in writing by the proprietor or his factor.

10. To prevent the destruction of, or annoyance to the stock upon the scattalds, no tenant will be allowed to keep a dog or dogs.

11. The proprietor reserves to himself the right of searching for, opening and working mines and minerals, on paying such surface damage only as may be ascertained and fixed by two arbiters mutually chosen. The proprietor also reserves the shootings, and the salmon and trout fishings.

12. The proprietor further reserves to himself all the peat-mosses, sea-weed, and shell sand, with power to regulate and divide them as circumstances may render necessary. All tenants are bound in future to cast such peats as may be allotted, in a regular manner, and to lay down the turf in neat and regular order without potting, and to the satisfaction of any one duly appointed by the proprietor. The drift, sea-weed, and shell sand to be used as manure, will be divided amongst the tenants according to the quantity of land held by each. All other sea-weed, rights of fore shore, share of whales, &c., are expressly reserved by the proprietor.

13. All privileges of grazing upon scattalds, removing "truck," &c., is reserved by the proprietor. No tenant is allowed any privilege outside the boundary of his farm, with the single exception of the boats' "nousts," as presently enjoyed.

14. The tenants are bound to accede to all local regulations which are or may be established for the more orderly management of the property, and the general interests of all concerned.

15. It is expressly stipulated that when any act of bankruptcy upon the part of the tenant takes place, that his lease shall terminate and revert back to the proprietor at the first term after such act of bankruptcy; but to remove all grounds to complain of injustice, whatever rise of rent is actually obtained from the farm in a *bona fide* manner, when let anew, shall be accounted for annually when received during the balance of the lease to the creditor or trustee, or an equivalent paid in one sum for all the years of the lease unexpired.

16. The proprietor reserves to himself the right to grant feus off any farm upon allowing such deduction of rent only as may be determined by two valuers mutually chosen.

17. All tenants are bound to conform to the foregoing articles, regulations, and conditions of lease, under the penalty of forfeiture of all the benefits of their lease, and immediate loss of their farms.

19. A printed copy of these conditions and regulations, signed by the proprietor or his factor, before witnesses, shall be delivered to each person who is accepted as a tenant, and the tenant's name, designation of farm, amount of rent, &c., entered in a minute-book specially kept for such purpose; and the tenant may at any time afterwards claim a regular lease upon stamped paper, to be extended at his own expense.

Every tenant shall be bound to remove from the houses and lands at the expiry of the lease without notice of removal or other legal warning, and shall be liable to double the previous year's rent for every year that he or she may remain in possession after the termination of the tack.

LL.

Major T. M. Cameron.

Keeping Second-rate Animals for Breeding Purposes.

No Dogs allowed.

Minerals, Shootings, &c. reserved.

Peat Moss, Sea-weed, and Shell Sand reserved.

Boats noust, &c.

Regulations, &c.

Bankruptcy.

Feus reserved.

Penalties.

Formal Lease, &c.

Removal.

LL.
Major T. M.
Cameron of
Garth and
Aunsbrae,
Shetland.

I have this day let for a period of ten years, from and after Martinmas next, the farm of _____ consisting of _____ acres, or thereby, to _____, upon and under the articles, regulations, and conditions, as herewith prefixed, and at the yearly rent of _____ payable at Martinmas every year.

Dated this _____ day of _____ 18_____

, witness

, witness

THOMAS M. CAMERON,
Major, of Garth and Aunsbrae.

LII

STATEMENTS of ROBERT BELL, Esq. of Lunna, Advocate,
Sheriff-Substitute at Falkirk.LII.
Mr Robert
Bell of
Lunna.

BELMONT, FALKIRK, 28th July 1883.

I have seen in the *Shetland Times*, of 21st July, a report of evidence given as to alleged grievances complained of by the people in the Lunnasting district. There was no report of this evidence in the *Scotsman* or *Glasgow Herald*; but, assuming that such evidence was given, as reported in the *Shetland Times* (an excerpt from which is enclosed), I take the liberty of troubling the Royal Commissioners with a few observations.

EXCERPT—*Gideon Sinclair* (83), and *William Sinclair*, crofter fishermen, Evidence, p. 1432 et seq.
‘were heard as to the grievances complained of by the people in the Lunnasting district. They stated that the rents in the district had been raised threefold in some cases, and there had been several cases where a crofter had to pay an increased rent in consequence of having improved his croft. There had been a number of evictions.

‘In answer to Sir Kenneth Mackenzie, Sinclair stated that they had been under five proprietors, the last being under Mr Bell, who subsequently gave a tack of the property to Bailie Robertson. Before this they had paid 1½d. per head of sheep, and the average rental of the croft was £3, 15s. Mr Bell thought the liberty of pasturing sheep was too low, and he raised it to 3d., and afterwards put on 6d. more, making it 9d. Then he put on another 7d., raising the tax to 1s. 4d. The people did not so complain of high rents as of the grievous price they had to pay for their sheep. His own son had a croft for which he formerly paid £7, 15s. The town was not previously cultivated, and he had trenched it and taken in about four acres of ground, had built a fine house, and made great improvements on the place, and now he was asked to pay £10, 8s. 7d. of rent. All these improvements would have to be left to another man, for although he had not been warned, still the exorbitant rent laid on was sufficient warning for any man. He himself had carried ashore in a season 600 cwt. of fish for Mr Robertson, and had to accept a shilling less per cwt. than he could have got from any other body, but he dared not deliver his fish to any other curer.

‘Sutherland stated that fourteen years ago, he took three acres of ground, and had cultivated it, and worked at it with daylight and moonlight and now the rent had been raised from £3 to £5, 5s. 4d. He had seen his family go with only two meals a day, and sometimes they had neverknown the taste of anything but fish for eight days. £30 would not pay him for what he had expended on his croft, and it was a very hard thing that he should have had all that labour for nothing.

‘Some other witnesses were examined.’

Having had charge of the Lunna estate, the property of my late wife, for more

LII.

Mr. Robert
Bell of
Lunna.

than thirty-five years, I have no hesitation in stating that the statements made by Gideon Sinclair and William Sinclair (erroneously named Sutherland), are essentially incorrect and misleading.

1. Some of the rents have been raised, but this was on account of expenditure by the proprietor upon new, or improved, houses; upon wire or stone fences, and other improvements, generally undertaken at the request of the tenants, and followed by regulation of the grazing privileges on the enclosed pastures, with a charge of 9d. to 1s. per head of sheep, of which the tenants are allowed to keep an ample number, proportioned to the size of their crofts.

2. In so far as I know, no crofter has had to pay an increased rent in consequence of having improved his croft.

3. There have been no evictions in the ordinary or offensive sense of the term. Cases of removal may have occasionally occurred in consequence of persistent failure to pay rent, or obstinate disregard of necessary estate regulations as to repairing fences, peat-cutting in a proper manner, and neighbourly conduct; but in other cases where changes were required in the course of necessary improvements, the tenants were treated with consideration, and were adequately provided for elsewhere upon the property.

4. Gideon Sinclair's statements, as to the case of himself and his son, who is joint-tenant, are essentially incorrect and misleading.

They have not been charged with rent upon any improvements executed by themselves.

I am not at present informed as to the previous house, although I think it probably was erected by the proprietor, but their present house was built by the proprietor about twenty-six years ago, at an expense of more than £22, when by an addition of about 20s. the rent was raised to £5, 15s. The charge for sheep was originally 1½d. per head (called sheep teind, not rent) at a time when the pasture was not ascertained as regards conterminous properties, and being unenclosed, was trespassed upon by all and sundry from all quarters. But a few years ago, the charge was raised to 6d. in the first instance, and latterly to 1s., in order to meet in some degree the cost of an expensive process of declarator, and division of common, and of several miles of wire-fencing, and in order to give the proprietor a very moderate return from an extensive range of enclosed hill pasture. Gideon Sinclair and his son exercise this privilege for sixty sheep at 1s. per head, and without any extra charge for as many cattle as they can keep upon their croft. Their whole rent is £8, 18s. 6d., and anything beyond that sum consists of the tenant's half of poors' rates, school assessment, and road assessment—the latter averages 6½d. per £1, instead of the old burden of six days' statute service formerly exigible.

Gideon Sinclair's statement as to the quantity of fish (600 cwt.) delivered by him to Mr Robertson in one season, is incredible, and it is, I believe, equally so as to his having received 1s. per cwt. less from Mr Robertson than he could have got from any other curer. Mr Robertson, as tenant of the fishing station at Skerries, belonging to the Lunna estate, was entitled to receive delivery of their fish from those Lunna tenants who fished at that station, but under the express agreement that they should receive the current price paid by all the principal curers, and I have no reason to suppose that Gideon Sinclair, as well as the other tenants, was not fairly dealt with.

William Sinclair's statements are equally misleading. At his request, about fourteen years ago, a good house was built for him at the proprietor's expense, and a piece of ground, about six acres, I think, allotted to him to bring into cultivation, but to what extent this has been done, I do not at present know.

The interest on the cost of the house, together with a small charge for the rent of the ground, was fixed at £3; and, until the enclosure of the adjoining pasture before mentioned, he had an unrestricted privilege of grazing without any extra charge; but, for the past few years he has been charged in the first instance, 6d., and latterly 1s. per head for each of his thirty sheep—but with no extra charge for grazing his cattle. The additional sum of 15s. 4d. which he mentions, consist of the tenant's half of assessments, and this sum, or thereby, he has for two years past failed to pay.

The newspaper report does not state whether the Sinclairs were authorised as delegates to make the above statements. I shall be surprised if they were so; for, in my opinion, the Lunna tenants, as a body, know that they have been treated in a considerate manner, and are fairly comfortable and contented with their lot, which is, in many respects, more favoured than that of many of their fellow-countrymen in other parts of Scotland.

I shall be much obliged by your communicating this letter to the Royal Commissioners, and it will afford me pleasure to give any further explanations or information which they may desire.

ROBERT BELL.

BELMONT, FALKIRK, 12th September 1883.

While in Shetland, and since my return here, I have ascertained some further particulars which I am anxious to add to my former statement in correction of the evidence reported to have been given by Gideon Sinclair and William Sinclair, tenants in Tarraret, Lunnasting.

1. Both of the houses, successively occupied by Gideon Sinclair and his son, were erected at the expense of the proprietor. Although the matter does not fall within my province, I may state that Gideon Sinclair's evidence as to his fishing grievances has been distinctly and publicly contradicted by Mr John Robertson, Lerwick.

2. From the tenor of William Sinclair's statements, I assumed incorrectly that the croft referred to had been originally occupied and reclaimed by him. I find, however, that twenty-one years ago the house was built by the proprietor at an expense of £33, and along with a piece of hill ground, was allotted to Robert Sutherland at the agreed on rent of £3. About a quarter of an acre was trenched at the proprietor's expense for Robert Sutherland, who, during his occupancy of the six following years, reclaimed a considerable extent of the allotted ground, the benefit of which William Sinclair has enjoyed during the last fourteen years—the period of his tenancy. Sinclair, I am informed, has trenched a considerable piece of ground, but he has not been charged any rent upon his improvements. The original rent of £3 for house and ground has not been altered, but, as explained in my former letter, a charge for sheep was made some years ago—at first at the rate of 6d., and latterly at the rate of 1s. per head of each of his thirty sheep, in the hill pasture which is enclosed.

I regret having to trouble the Commissioners with these observations, and I trust it may not be considered unreasonable to express the hope that the statement of facts which I have made, may be embraced in the report, in correction of the erroneous and misleading evidence given by Gideon Sinclair and William Sinclair.

ROBERT BELL.

LII.
Mr Robert
Bell of
Lunna.

LII.

BELMONT, FALKIRK, 6th October 1883.

Mr Robert
Bell of
Lunna.

I have to thank you for your letter of the 4th current, enclosing a correct copy of the evidence of William Sinclair and Gideon Sinclair, tenants in Tarraret. I observe that the report of their evidence differs very materially from the report given in the *Shetland Times*, upon which my previous remarks were based; but, in compliance with your request, I have to state that I find no cause for changing any of my previous observations. The only additional remarks which I think it necessary to make upon the evidence of Gideon Sinclair are—(1) that I find that, on several occasions many years ago, he received credit in his account for work in trenching and draining, and I am not aware of his having executed any such improvements at his own expense; at any rate he has not let me know of them. (2) His statement as to his request for a lease, and my alleged refusal and promise of never increasing his rent, is an entire fiction.

I have now seen, for the first time, incorporated in the report of the Sinclair evidence, the statements which appear to have been made by, or attributed to, some of the oldest crofters, at the meeting held at Queeness, Lunnasting, on 7th July last. These statements were not reported in the *Shetland Times*, and as they are incorrect, disingenuous, and misleading, I shall make a few remarks upon each of them.

Evidence,
Q. 22543.

1. *Thomas Herculeson*.—The rent of his croft was, at the date of his entry (1849), £2, 18s. 8d., and remained the same until 1866, when, by an arrangement with him, a new house of a superior kind was built by the proprietor at an expense of more than £20, and the rent was raised to £4, 4s. A few years ago, when the boundary of the hill pasture was ascertained by an action of declarator, and a march wire fence had been erected by the proprietor, the privilege of pasturage was regulated, and the number of sheep allowed to each tenant in the adjacent township was fixed at fifteen, with a charge of 1s. per head. More recently, at the request of the tenants, a wire fence was erected at the proprietor's expense for the protection of their arable land, and the annual charge falling upon Thomas Herculeson is 8s. 4d. His rent now stands at £5, 7s. 4d., and his whole payments, including his half of poor-rates, school assessments, and land assessment, amount to £6, 5s. 7d., and not to £6, 12s., excluding assessments, as stated in the report.

Evidence,
Q. 22543.

2. *John Halcro*, in 1849, entered on possession of an 'outset' which had been prepared for another tenant, who preferred to go elsewhere. The original rent, £2, was calculated upon the cost of a new house and extensive turf dykes erected by the proprietor, and the value of a considerable extent of grass ground included in the enclosure. When the adjacent hill pasture, effeiring to the town lands of Lunna, was some years afterwards enclosed as a park, and let separately for grazing purposes, Halcro's privilege of sheep pasture, hitherto exercised by sufferance, was transferred to Lunnass pasture (within a mile), and his rent, including grazing for two cows in the enclosed park, never exceeded £3, 9s. 3d., and latterly, when he relinquished the grazing for his cows, the rent was merely £2, 13s. 3d., including his sheep privilege in Lunnass.

John Halcro was not evicted or arbitrarily removed. He had persistently neglected to repair his hill dykes, which he was obliged by his original agreement to keep up; and he got leave from me in 1880 to enter a farm in Lunnass, which, however, finding himself unable to occupy it, he abandoned in 1881.

Evidence,
Q. 22543.

3. I do not understand the nature of Gilbert Johnson's complaint. His remarks seem to apply to his tenancy in Delting, under another proprietor, prior to 1824. He voluntarily gave up his Lunnasting croft more than ten years ago.

4. The statements attributed to John Simpson, Hamnavoe, Lunnanes, are incorrect and misleading. His rent has not been arbitrarily or unnecessarily raised. The original rent in 1849 was £3, 2s. 3d., and, with the addition of 10s. for a wire fence, erected at the request of the tenants, 11s. 3d. for the grazing of fifteen sheep in the enclosed pasture, and 6s. 6d. as interest upon the cost of an addition to his house, the whole rent is now £4, 10s., exclusive of his half of parochial and road assessments.

In reference to the general charge of evictions, it is untrue 'that a number of evictions have taken place for the purpose of the proprietor enclosing the greater part of the pasture, and turning it into sheep farms.' But the following are the facts:—Several crofts in the vicinity of the manor house of Lunna were lying in some instances in runrig, and all unimproved; and, from time to time, as these crofts became vacant by deaths or by removals, either voluntary or by arrangement without hardship, they were taken into the proprietor's possession for purposes of amenity and general improvement, and the adjacent pastures at Lunna and Setterness effeiring to these crofts were enclosed along with them, and incorporated with lands from time immemorial occupied in connection with the family residence of Lunna. There were no arbitrary removals. After some time the farm thus concentrated was let to a tenant, at present a Shetlander. However, notwithstanding these changes, the crofters in Lunnanes have still as much pasture as properly effeired to their respective townships, and it is adequate to the reasonable requirements of the crofters. The privilege of pasturage has, since the enclosures were completed, been allotted among the tenants, in proportion to the rents paid for their crofts, at the rate of 9d. for each sheep; and possibly those tenants who, before the regulation of the grazing privileges, had an undue share of the grazings, without a corresponding payment, may feel discontented with the present more equitable arrangement. There is practically no other restriction as to the number of cattle than the number which each croft can fodder during winter. I may add that the present rents are extremely moderate, considering the very great rise in the value of the tenants' cattle and sheep within the last fifteen or twenty years—a result brought about in great measure in consequence of the county being opened up by roads, to the original formation of which the proprietors generally largely contributed, in conjunction with the Highland Destitution Committee, at the time of the potato failure.

No evictions have taken place at Vidlin. Several crofts became vacant by death and other ordinary causes, including a voluntary removal by one tenant, who was dissatisfied with the regulation of the pasture and with other improvements; and these crofts became the nucleus of improved farms of moderate extent, which are now occupied by tenants, natives of Lunnasting.

I regret having to trouble the Commissioners with those details; but I am unwilling to remain under the imputation of having acted in an arbitrary and unfair manner towards any of the Lunna tenantry, with whom I had hitherto believed that the most agreeable relations had been maintained.

ROBERT BELL

Lli.

Mr Robert
Bell of
Lunna.

Evidence,
Q. 22543.

LIII

LIII.

Robert Gear,
Foula, Shet-
land.

CASE of ROBERT GEAR, of Foula Island, Shetland.

(See Evidence, p. 1354 et seq.)

FOULA, SHETLAND, October 9, 1883.

SIR,—I now beg to remind you that when I appeared as a delegate before the Royal Commissioners at Foula on 18th July last, I asked their influence in protecting me from any annoyance to which I might be subjected by those in power in consequence of giving evidence. And now, as I justly anticipated, have been served with notice of eviction, withholding the name of the factor, Mr James Garriock, who is brother of the merchant, as you will see by the enclosed copy of defence to the Sheriff, which I take the liberty of sending for your perusal.

Hoping that you will now use that influence, as I am in deep distress.—I have the honour to be, Sir, your obedient servant,

ROBERT GEAR.

Hon. C. Fraser M^cIntosh, Esq., M.P.

 COPY OF APPEAL.

SIR,—Having been served with citation, petition, and letter of eviction by Messrs Sivewright & Macgregor, law agents, Lerwick, dated 25th September, 1883, and served upon me by post, setting forth the proprietor, Master Scott of Melby, as desirous of my eviction (but whom I have reason to believe does not desire such), and Mrs Scott and Mr John Scott Smith, as his curators, therein designated as pursuers, against me.

I, as defender, having the right of appeal against said proceedings, do hereby humbly show—

1. That in my opinion I do not stand in the position of a tenant at will, as set forth in said proceedings, but was put in by the parish minister, and permanently appointed as the agent and representative of the Church of Scotland (in addition to being Society schoolmaster), and in which capacity I still remain, and occupying the same house and croft as my predecessors have done for the last thirty or forty years.

2. That I owe no rent to the estate of Melby, and dare *any one* to charge either myself or my family with anything that can be proved against us during eleven years residence in this island, in token of which I can produce unimpeachable testimonials, as also protest against present eviction from my place in Foula, signed by a large majority of the male inhabitants.

3. That I now enter protest and appeal against said proceedings as most cruel, unjust, and without precedent, which in effect seeks to deprive a poor man in delicate health and his helpless family of all their means of support; turn them to the fields destitute in this far away isle of the ocean, where there is not another shelter to be had, and that in dead of winter; and to shut the door of the parish church.

Can, I beg to ask with all deference, inoffensive people be subjected to such treatment under cover of the laws of Great Britain in the year 1883, for the sake of telling the truth before Royal Commission 18th July last?

Hoping that you will excuse this liberty, as, believe me, nothing but the urgency of the case and inability to attend Court, as cited, through ill-health, would have induced me now to address you in these terms, and which must be my only apology, I have the honour to be, Sir, yours respectfully,

ROBERT GEAR,
Church of Scotland Catechist.

To Charles Rampini, Esq.,
Advocate, Sheriff-Substitute of Shetland.

Dated at Foula, this first day of October, eighteen hundred and eighty-three years.

P.S.—Find enclosed Petition.

R. G.

REAWICK, SHETLAND, *January 5, 1884.*

SIR,—I have to acknowledge receipt of your letter of 20th ult., and thank you for affording me the opportunity of explaining matters in reference to the would-be Foula martyr, R. Gear, whose misrepresentations, in conjunction with those of his friend Mr Sands, have so extensively appeared in the public prints, and caused, to say the least of it, much annoyance.

This man (Robert Gear), formerly a sailor, succeeded in making the Rev. A. Nichol, E. C. minister of Walls, believe he was qualified to fill the situation of Society teacher, then vacant in Foula, and accordingly was sent there about eleven years ago. He had not been there more than a year when some of his scholars were found to be ahead of their teacher, and they withdrew.

The people became alarmed lest they should be saddled with an incompetent teacher, and hearing of the new Education Act, feared he might become a burden on the rates, and they wished to get rid of him. He was thereafter appointed 'reader,' with a salary of £20 from the Society for Propagating Christian Knowledge, and an allowance of £7 from 'The Royal Bounty.' If I am not mistaken, he had a further allowance of £3 or more for some other office he was supposed to fill. His duties in return for this salary—of at least £27 per annum—consisted of reading occasionally an old sermon to about five people.

Up to this time the Society teacher in Foula, in consideration of his holding that office, was allowed to occupy the house and farm of Mogle, at a nominal rent of two pounds per annum, while it was valued at about £5, and indeed was considered the best croft in the island.

I was appointed factor for Melby in 1875, and collected the rents (*crop* 1875, in Foula in 1876, when I found Gear due two years' rent, viz., crops 1873 and 1874. Payment of this sum I obtained from Garriock & Co., in order to show a clean 'balance-sheet.'

Gear being no longer teacher (or when he became no longer teacher), I doubted whether, as factor, I was warranted to allow him to occupy at the reduced rent, and feared lest some day I might have to account for the difference, more especially as the late landlord, Dr Scott of Melby, had more than once expressed in my hearing his dissatisfaction at a man like Gear being allowed to remain in the island. I told him he must in future pay a fair rent. Year after year found him apparently as unable as ever to meet a rise of rent, and it was with difficulty I obtained payment of the two pounds; but out of pity for his wife and children I let it pass

LIII.

Robert Gear,
Foula, Shetland.

LIII.

Robert Gear,
Foula, Shet-
land.

During following years complaints were often lodged against him on account of his not having his dykes properly built, causing annoyance thereby to his neighbours through sheep, &c., getting in and destroying their crops. He neglected his farm and office houses. Four or five years ago, when I could stand it no longer, I advertised his croft 'to let,' but on condition of better behaviour allowed him to remain. In the year 1881, I allotted a part of his farm to the teacher, and had both portions valued. Since then he has been charged a higher rent, more in accordance with its *real* value, but continued to neglect his farm, offices, &c.

Last year he appeared before you as the people's champion, and after making erroneous and exaggerated statements appealed to you for protection, and wished to pose as a martyr, even telling some of the inhabitants he did not *now* fear landlord, factor, or merchant, having the Royal Commissioners at his back—nay, even the British Government—and evidently fancied he could evade his lawful debts to his creditors and obligations to his landlord. This threat he fancied, no doubt, would *frighten* them from taking action; or if they did, he would be a martyr, and obtain the sympathy and help of a credulous public throughout the kingdom. In either case he would have his revenge. His debt to the firm of Garriock & Co.—of which my brother (referred to by Gear) is now sole partner, and with which I am not connected—having steadily increased, in spite of all remonstrances and efforts to the contrary, until amounting to over £40, he was again last year politely requested to make payment or find security; but notwithstanding all my brother's forbearance, he received only ingratitude and abuse.

Matters had now come to a crisis. Is a lazy, indolent man to be allowed to shirk his obligations? It could no longer be permitted. My brother took steps for the recovery of the debt, or as much of it as he could get; and seeing that Gear would be left without farm-stock or means, he would no longer be a fit subject for a tenant, and it clearly became my duty to have him removed from the *croft*.

This of itself, I considered, made my duty plain; and believing it to be so, I determined to do it fearlessly, and for a time endure the obloquy I know would fall on me through the misrepresentation of Gear and his friend Mr Sands.

The usual term for removing tenants *who hold crofts*, in Shetland, is *Mar-tinmas* (12th Nov.) I foresaw that in the event of Gear's being turned out, he could not well leave the island until spring or summer, and therefore he was to be allowed to remain in the house until 12th May, although freed from the farm; meantime, the legal form of warning had to be served. In the interval, I heard that Gear had got some Foula people to sign a paper protesting against his eviction, whereupon I prepared another document, and instructed the officer to give the people the option of signing it also, or if they did not, I would publish both, and thereby expose their inconsistency—first, complaining to me as factor, and then, when they saw he was to be removed, appearing to befriend him, and openly throw all the blame on me, and remonstrate against the very thing they formerly desired! My instructions to the sheriff officer were these:—'I wish you to explain to the Foula people and 'Mr R. Gear, that, provided the following conditions are complied with, viz., 'the accompanying paper guaranteeing certain requirements on the part of the 'landlord, are signed by responsible tenants to the number of twelve, he (Mr 'Gear) shall be allowed to remain where he is at present.' The following are the terms of the paper referred to;—

‘ We, the undersigned, tenants and others in Foula, hereby bind and oblige ourselves to fulfil the following requirements on behalf of Mr Robert Gear, presently residing in Mogle, on condition that he be not removed from the said house and croft;—we shall put the roofs of his offices in proper order, thoroughly clean out said offices, build and repair his proportion of dykes to defy sheep and other animals, and guarantee the payment of his annual rent. We shall also undertake to see that there are peats provided sufficient for each year’s requirements.’

LIII.

Robert Gear,
Foula, Shet-
land.

This document was signed by twelve men, ten of whom are tenants, with two young men to fill up the required number. Not one of the twelve, be it noted, are his immediate neighbours, most of them living at a considerable distance from him. Notwithstanding, I accepted it. But Gear need not remain if his stock be taken, so they guaranteed his debt to G. & Co. as well, it being generally understood that Gear would soon elicit sympathy by his and Mr Sands’ letters, sufficient to loose the purse strings of benevolent people in ‘the south,’ and consequently no great risk involved by becoming sureties for the martyr’s debt. Thus, you will understand my taking action on Robert Gear, as *tenant* of Mogle, was in no wise connected with his appearance before you, but as a most *disagreeable, uncongenial* duty forced upon me in my capacity as factor, and all the result of the man’s own indolence and obstinacy. As an illustration of his indolence, I was informed he allowed the carcasses of one or two dead cows to remain among the dung in his byre, which had been left to *accumulate* for years! The roofs of his offices were nigh rotten, his farm gradually going back to its original state of grass and moss, and his dykes neglected.

I have reason to believe this man had no need to be in debt, for, on several occasions, he obtained £5 additional from the Society for P. C. K., to meet *alleged* loss of crop through storm and sea; and four or five years ago, I was informed, he obtained £30 from the said Society with which to pay his debts. That was £50, besides the £7, &c., in one year!

A man having a good croft at £2 rent per annum, an income of say £27, at least, and all his time to himself, could have got out of debt, and lived comfortably in Foula.

The Foula people are by no means in *debt*, as was erroneously stated—quite the contrary,—and none of the crofters have, or ever had, the chance this lazy man enjoys.

They supplement their income by catching fish for ‘house use;’ this man seldom risks his life on the ocean, or nigh-hand it.

He has succeeded in making some of the more simple-minded believe he is their friend, and great things yet to be done for them.

Apologising for the length of this statement, I have the honour to be, Sir, yours most respectfully,

JAMES GARRIOCH.

The Secretary,
Royal Commission (Highlands and Islands).

SEAFIELD HOUSE,
DUNDEE, January 12th, 1884.

SIR,—I have much pleasure in availing myself of the opportunity given to explain to the Honourable the Commissioners what lead to Robert Gear being

LIII

Robert Gear,
Foula, Shet-
land.

summoned for a debt due to my firm. I wish especially to point out that he was not so dealt with because of his appearing as a delegate before the Commissioners in Foula. The mis-statements on that occasion regarding my firm were sufficiently *contradicted* by the people on the spot.

I will endeavour as shortly as possible to explain why Gear was prosecuted. I was factor on the Milby estate when Gear (in 1872) was appointed teacher. He appeared with a wife and three children, without money or means to live for at least six months till he could draw salary. He could have little use of the farm allotted to him without stock, and the children required milk. He applied to my firm to advance him, which we did, from November to July, his cash advance mostly to buy cattle was £13, 19s., and for provisions and clothing £23, 3s. 9d., against which we received £10, and remained out of pocket £27, 2s. 9d. In the following year his wants were not small, and only *half* his salary coming our way, the balance due us was £48, 10s. 3d. About this time his emoluments were largely increased, and at the next settlement he brought his balance down considerably. His stock began to thrive, and as he promised to pay off by instalments, we were in hopes he would eventually work out. We paid up his arrears of rent and gave usual advance of provisions, &c. This year (1876-77) he did *not* pay in his salary to us, and his balance was worse than ever. In the following year his wife died, and his crop was poor, so expenses were heavy. Next year he married, and we only got *part* of his salary. We tried to be *done* with advancing him, and offered to take 10s. in the pound, but this did not suit, and we struggled on with constant vexations until July last, when he was due £40, 0s. 6d., over £4 back on the year. Learning that through his indolence and neglect he had very little crop to keep his cattle—the only property he had we could attach. We wanted a settlement and offered to accept payment by instalments if he could find security. Although he had acknowledged his debt to be correct on the 27th July, as he had done for several years before, he wrote me on 15th August—‘I have received your favours of the 11th inst., and the contents are just what I anticipated when I gave a faithful account of the condition of this island to the Royal Commission on the 18th ult. I am sorry that I am unable to give security for the payment of the account you have against me; and I hope you will not press for a settlement until the Report of the Royal Commission has been submitted to Parliament, when it may be found that the system on which business has been conducted here for many years is not as it should have been, and that legally my debt may not be so great after all as it seems at present.’

My answer was, 25th August—‘In reply to yours of 15th, I need only say that the condition of Foula has nothing to do with the payment of your account to my firm, nor is it possible that the Report of the Royal Commissioners will affect your debt, I therefore must insist upon payment immediately.’

His answer was rude, too long to copy here. His intention being evidently to exasperate. It was now apparent that what I had heard of his active teaching in Foula about their debts to the merchant was correct. On the 8th September, in order to make sure of two cattle he had ready for sale coming into my hands, I offered to buy them for £21, while they were only worth £12 to £13, if so much, but this sale he was cute enough to evade.

All my claims on the Foula people were affected, and I had no alternative but to summon him, which I did. He appeared at Lerwick and took advice, but did not appear before the Sheriff, and I got decree and did diligence. His

effects, excepting his sheep, were pounded, the cattle he had no fodder for here sold extrajudicially, and nine of the Foula men—his church friends and disciples—gave an obligation to see the balance and expenses paid.

Gear's wild statements before the Commissioners, and his conduct about that time and afterwards as an agitator, may be accounted for by his being in close intercourse with another idle person, viz. J. Sands (who made himself notorious in relation to St Kilda and other western islands some time ago). Sands spent ten weeks in Foula this summer—six weeks before the Commissioners came and four after—as he says, ‘rambling about the island with my archæological spade on my shoulder, . . . I frequently met the people, entered their houses, heard their complaints, saw their condition with my eyes, and expressed my sympathy.’

Sands has been writing most startling letters to the newspapers to excite public sympathy for Gear, pretending that he has a mandate to represent the interests of Foula before the public. When his first letter to the *Daily Mail*, in September, reached Foula, the inhabitants held a public meeting, and the Rev. G. Morrison sent a reply repudiating Sands' statements. I send you herewith cuttings of these letters, which are not the last of the series.

I am strongly opposed to everything approaching a truck system, and as regards Foula the system does not exist. In every insular locality the merchant *must*, to accommodate the people, both buy and sell and give credit. In Foula the people have always had liberty to make their own bargains, and go where they pleased to fish or work. My firm's packet, running to and from the island for the past thirty-one years, has carried as many of the inhabitants as chose to travel free of freight. They have seven boats, one of which can carry three cattle or four tons of cargo, and are only eighteen miles from Walls. Dealers in cattle and with goods to barter sometimes visit the island without any objection ever having been made.

After Sands' letter referred to above appeared, some of the Foula men wrote to me on the subject of it, and I send you two of the letters.

Magnus Manson, who has been years a sailor abroad, and is respected in the island for his good sense, high character, and *activity*, writes, 2nd October— . . . ‘If I had been at any of their meetings, and had been asked what I had to say about Messrs Garriock & Co., I would have told the truth, and that is, ‘I have fished for Messrs Garriock & Co. over twenty years, and I have been at liberty to buy my meal, and anything I wanted besides, either in Scotland, or Orkney, or Lerwick, or Scalloway, and it never was asked me whether I had bought or not, or where I had bought; and if I pleased I could let my year's fishing stand till the settling day, and get every penny of it then and a good wish along with it.—S. S. MAGNUS MANSON, Mornington, Foula.’

The other letter, from Andrew Umphray, another respectable man, who for years was out of the island for employment on the mainland of Scotland and in Melbourne, goes on to say:—

‘I have been in your employ now for near thirty years, and all that time I have had nothing to say to you but good. You have always supplied me in everything I have required at the very lowest possible charges, and you have never hindered me to sell or buy from any other firm I choosed, which I had no need to do, as I have bought from you at the very cheapest rate.’

I am proud to know that Foula exports produce and imports goods four times as much as it did thirty years ago, when I began to deal with it and

LIII

Robert Gear,
Foula, Shet-
land.

LIII.

Robert Gear,
Foula, Shet-
land.

develop its resources. I have, as a rule, had much pleasure in transacting with the Foula people, and but for the fact that I knew every person in the island, and was interested in their welfare, I would have cut my connection with them years ago as a merchant, for any profit from Foula has been dear bought.—Apologising for the length of this communication, I am, Sir, yours very faithfully,

LEWIS F. U. GARRIOCK.

The Secretary, Royal Commission,
(Highlands and Islands), Edinburgh.

ENCLOSURE 1.

SCALLOWAY, *August 11, 1883.*

DEAR SIR,—I have been going over the Foula books since the settlement, and am sorry to see that, instead of your balance being reduced, there is an important increase. The balance, I observe, stands at £40, Os. 6d., besides any advances you have had on the current half year's salary.

For eight years now I have exercised patience above ordinary measure, and the return has been what you know. To get the amount gradually reduced is now hopeless, and I request payment in some form, or security for payment by instalments.—Waiting your reply with the needful, I am yours, &c.,

LEWIS F. U. GARRIOCK.

Mr Robert Gear, Foula.

ENCLOSURE 2.

FOULA, *August 15, 1883.*

DEAR SIR,—I have received your favour of the 11th inst., and the contents are just what I anticipated, when I gave a faithful account of the condition of this island to the Royal Commission on the 18th ult. I am sorry that I am unable to give security for the payment of the account you have against me, and I hope you will not press for a settlement until the Report of the Royal Commission has been submitted to Parliament, when it may be found that the system on which business has been conducted here for many years is not as it should have been, and that legally my debt may not be so great after all as it seems at present.—I am, yours faithfully,

ROBERT GEAR.

L. F. U. Garriock, Esq., Scalloway.

LIV

STATEMENT by Mr JAMES TWATT of Rothiesholm, Stronsay,
Orkney.

(See Evidence, p. 1434 et seq.)

November 17, 1883.

LIV.

James Twatt,
Esq. of
Rothiesholm,
Orkney.

I beg respectfully to represent to the Commissioners that, coming to Sanday Evidence, in a hurry, unprepared with a statement, and then only answering questions put to me, I got no chance of contradicting the evidence of James Cooper, which is in many respects, as reported, incorrect. Q. 22723 et seq.

1. This man is not a tenant of mine, and has never been bound to furnish any labour. He has been part of his time in America, and his father is the tenant.

2. There is no agreement as to labour at this croft at all. I left the tenant sitting, because he was an aged man and had been long about the place, when other houses were shifted, though this one is much in the way of the main farm. The people were quite aware that they were retained as a favour, and were reasonable until lately; now, it appears, they imagine they are going to get the ground for nothing.

3. The statement as to the stock kept in this place is quite incorrect. I have purchased from them since this evidence was given three lambs at 20s. each, and and one-year-old quey at £9; and at the date of the evidence being given, they had on the place the following stock:—one horse, two cows, one-year-old quey, two calves, two ewes, and three lambs.

4. It must be remembered that these crofters were originally encouraged on the ground to furnish labour for the main farm, and that new places here, and elsewhere, are still being made.

Formerly here in many cases, unless the landlords or larger tenants had taken fish, &c., from the crofters, they would have had no market, and could not have made a living.

Taking into account the burden of poor rates from this class, my opinion is that in the case of their refusing to work on the larger farms we shall simply find them allowed to die out. These small patches of ground can never pay as farms, apart from other employment in a climate like this.

Wanting the labour of the larger farm, I believe some seasons these people would starve, or at least there would only be a living for a third of their number. They cannot always depend on the fishing, and even now they are getting the use of shore, &c., for curing stations free, whereas elsewhere hundreds of pounds are being paid for stations. If we put more of our ground into grass, and suckle more of our calves, and altogether work the larger farms more on the American plan, we shall need less and less labour from the crofters.

Medium sized or small farms may pay fully better than large ones, but the man with four to eight acres of ground can never be a farmer, or thrive except by some outside labour. This is what crofters cannot at present see.

I have no intention at present to remove any of my crofters, though, by my lease, I have power to do so; and if any of the crofts were clear, I could get half a dozen tenants who would gladly give the rent I ask, and also endure all the bondage I lay them under.

JAMES TWATT.

LV.

LV.

STATEMENT by J. G. MOODIE HEDDLE, Esq.

J. G. Moodie
Heddle, Esq.
of Melsetter,
Orkney.

MELSETTER, ORKNEY, N.B.,
30th September 1883.

Evidence,
Q. 25104 *et seq*

Evidence of Alexander Wilson at Kirkwall.

My attention has been drawn to this man's evidence.

Most people here are aware that Wilson has never been altogether sane, and is at times subject to attacks of acute mania, so that his evidence has here no value.

It is represented to me, however, that such things appearing in the Report of the Commission may give a false impression to people at a distance.

I may just say that, except in one point, Wilson's evidence is quite incorrect, and indeed absolutely false.

He had a small croft of between four and five acres, for which £1, 10s. was paid for nine years from 1869. Then £2, 10s. 6d. per annum for the last thirteen years; he left at Martinmas 1881.

He might have continued there as long as he lived had I not been forced to evict him, by his own neighbours, whose lives he had repeatedly threatened.

He for some time carried a pistol, threatening to use it, and also threatened to set fire to houses and stackyards.

He was in before Sheriff Mellis in Kirkwall for this, and the evidence will be in existence.

You may also refer to Dr Campbell, Walls, in Shetland, who was then here, and examined him medically.

He got a new house a few years ago, but we paid him in full all the money we agreed to give him. For full notes of this, I refer to my clerk Mr Laughton, Longhope.

At the same time I wish to explain that we usually build the tenants' houses, charging 5 per cent. on outlay; but that this man preferred getting £20, 11s. 4d., and was charged interest at 5 per cent., which made a difference in rent.

This small sum put into the house is all he has expended on the place, and he never applied for any compensation for it.

If he had done so, I should have done as I do elsewhere, viz., given the value expended by him, if the buildings were in fair repair, deducting one-thirtieth annually for depreciation.

Wilson put in a pencil account to me when he left, claiming £100 for roads and piers which he had made; but as I knew there was nothing of the kind in existence, and as I had before received letters of the most absurd description from him, I paid no attention.

I see he now claims to have expended £200 on his croft, which is, of course, simply impossible.

I hear that he arrives at this by charging the ground with his own labour at the current rate of wages, exclusive of his living, for some twelve or thirteen years; in fact, for as long as he has paid rent.

If need be, I am quite willing to produce my books, and appear personally before the Commission; but the case is so evident and well known that reference to the minister and a few tenants here will probably satisfy the Commissioners.

20th November 1883.

LV.

When I wrote in September I had not access to my books. I have since examined them, and find that what we promised Wilson was wood and slate and labour for the roof, and lime for building, as per account under.

J. G. Moodie
Heddle, Esq.
of Melsetter,
Orkney

My clerk tells me I would only agree to this in this special case, because I was convinced the croft was too small to stand the class of house Wilson wanted.

The walls would be from three to three and a quarter roods, and the cost of building varies from 30s. to 38s. per rood.

This, and the cost of an outer door, and probably four windows, would represent most of Wilson's outlay; as the stones were either got from older buildings on the place, or from the ground close at hand, without any charge.

I find, contrary to what I imagined, that Wilson was charged 5 per cent. interest on the sum expended by me, viz., £20, 11s. 4d., which made his rent £2, 10s. 6d., it having been before only £1, 10s.

My clerk tells me the reason was that Wilson had been badgering us about a house so long, and that I did not think the ground could stand the outlay he proposed.

With continual re-building on these small crofts, the mere interest of buildings would soon come to a heavy rent on the land, and it is difficult to see where the landlords' profit would come in.

I annex full account of our outlay on Wilson's house from our books.

In 1877.—Alexander Wilson's House.

James Anderson, mason, for slates and putting on	
of roof,	£11 16 9
Paid for wood and freight of same,	7 6 7
Three bolls lime at 3s. 6d.,	1 8 0
	<hr/>
	£20 11 4

This was paid by Mr Heddle, as per agreement with Wilson, and he was charged £1, 0s. 6d. (20s. 6d.) as interest on the same from crop 1878 till Martinmas 1881, when he left.

He had previously paid £1, 10s. rent for nine years from 1869

J. G. MOODIE HEDDLR.

LVI.

LVI. STATEMENT of Lieut.-General F. W. TRAILL BURROUGHS, C.B., of
Rousay, Orkney.

Lieut.-General
F. W. Traill
Burroughs,
C.B., of
Rousay,
Orkney.

I think it right in supplement of the evidence given before your Lordship's Commission in Kirkwall on the 23th July 1883, to send you the accompanying copy, furnished to me by the procurator-fiscal of this county, of an anonymous threatening letter received by me on the 1st of this present month, the day on which, by the postmark, it was posted in Rousay.

I have placed the letter in the hands of the authorities, and they have traced it to Sourin, the district whence came the Free Church minister and the disaffected who appeared from Rousay before you. The authorities are still engaged in tracing its auther.

The letter will show your Lordship and your fellow Commissioners the style of the witnesses who appeared before you, and of their friends; and that they are endeavouring to establish a reign of lawlessness and terror here, as in Ireland.

May I request that this anonymous letter, of which I enclose a copy, may be printed along with the evidence in the case as affecting Rousay.

Several anonymous communications have reached me since the meeting of the Commission in Kirkwall, but the enclosed is the worst.

F. BURROUGHS.

TRUMLAND HOUSE,
ROUSAY, ORKNEY, N.B.
22nd August 1883.

Copy of a Threatening Letter sent to General Burroughs.

' GENERAL BOROUGHGS,—Sir, I havee Noticed in the Papers that you are
' determined to Remove these Men that give Evidance to the Comission in
' Kirkwall, well if you do, as sure as there is a God in Heaven if you remove
' one of them there shall be Blood Shed for if I meet you Night or day or any
' where that I get a Ball to Bare on you Curs your Blody head if it dose Not
' Stand its chance. thire is More than we intended nail you. you are only a
' divel and it is him you will go and the sooner the Bitter. and if you should
' leave the Island if it should be years to the time you shall have it. O Curs
' your Bloody head. if you dont you devel the curse of the poor and the
' amighty be on you and if he dos not take you away you shall go So you can
' persist or not if you chuse but be sure of this you shall go. I state No time
' but the first Conveniance after there removal.

Envelope addressed thus :—

General Borougs C.B
Trumland House
Rousay

Post mark on the envelope :—Rousay ' Aug. 1, 83.'

LVII

ALLEGED EVICTION of Crofters of Rousay, Orkney.

I.—STATEMENT by JAMES LEONARD, Crofter, Digo.

(See Evidence, p. 1557 et seq.)

LVII

Jas. Leonard,
Digo, Rousay.QUEEN STREET, KIRKWALL,
28th November 1883.

General Burroughs having published a statement, dated 13th October last, on the subject of the crofters' complaints, it is deemed of importance that his statement should be corrected (as the *Scotsman* newspaper of Edinburgh, through whose columns the statements appeared, refuses to insert any correction of the same), that full evidence may be before the Royal Commission. We were the more desirous of this, as the time at the disposal of the Commission in Kirkwall did not admit of the delegates stating all they considered should be known.

1. General Burroughs stated that the delegates were (some of them) not tenants of his, and that they did not represent the body of the tenants. On the contrary, all of the delegates were tenants under him, and had paid rent regularly, and that they *did* represent the whole body of the tenants almost without exception was shown, and is proved beyond doubt by the following facts. Shortly after the meeting of the Commission in Kirkwall an attempt was made in Rousay to weaken the testimony the delegates gave at that time. The form which that attempt took was that of a 'memorial' to the proprietor, Lieutenant-General Burroughs, in which it was stated that the statements of the delegates were not accurate, and had not been properly authorised by the tenants. It will be remembered that one of the complaints made by the Rousay crofters was that there was an amount of 'landlord terrorism' felt by the people that was unendurable. In view of this fact (which might have been kept in view by the promoters of an address or memorial got up to disparage this and similar statements), care should have been exercised to avoid the very appearance of the slightest exercise of the influence of proprietor or factor in connection with this memorial, especially in asking the people to sign it. The occasion, therefore, on which the proposed memorial was first brought to the light of day was, in view of these considerations, very unhappily chosen. It is an annual custom of the proprietor to have the school children of the island and their parents to Trumbland House (his residence) at the close of the school year to enjoy a picnic at Trumbland. In the course of this day, on which many of the tenants were present as invited guests, the memorial referred to was produced, and tenants were asked in Trumbland House to sign. *Only one or two did sign*—a fact which speaks for itself, and full of significance to all who know the courteous and obliging nature of Orkney people. Further efforts were made, however. The memorial was carried round the district of Wasbister by one who gave a whole day's hard work, in which he visited every house (with two exceptions, we believe) in the district, but by which, after all this disinterested and zealous labour, worthy of a better cause, he only obtained *two* signatures. The other

LVII.

Jas. Leonard,
Digro, Rousay.

district of Frotoft was still more barren, and only produced *one*. After this it was judged needless to visit the other district, Sourin—in fact, nobody could be got there to take the thing round for signatures. This very numerous-signed ‘memorial’ has never been given to the public, nor seen the light.

2. As to the evictions from Quendale and Westside, General Burroughs said that it had been for the benefit of the estate, because they formerly brought him only £80, but are now rented at £600. This is an entire mistake. It is the farm of Westness—to which Quendale and Westside were added—which brings in the rent of £600, and, *before* Quendale and Westside were added to it, it was the most valuable farm in the island.

3. When asked by Lord Napier if he, General Burroughs, had ever evicted any without giving them another place on his estate, he replied that he did not remember any; but he might have remembered the following cases of recent date, viz., Edward Louttit of Westside; James Sabiston, Veira; Thomas Sinclair, Hurtiso; and Widow Gibson, Langskaill,—none of whom got any footing on the Rousay estate. Hugh Inkster, Hammer, and William Louttit, Faraclett, have also been evicted from their holdings, although allowed to remain in cots. These and others are in addition to the evictions formerly mentioned in Quendale and Westside, Nears, &c.

4. It is right to inform the Commissioners of the arrangement of the road and poor rates on the Rousay estate. General Burroughs stated before the Royal Commission that he ‘always supported the poor himself,’ but he did not state the local arrangement how he does this, viz., that the tenants pay *all* the road monies. How does this arrangement work? General Burroughs stated, in reply to one of the Royal Commissioners, that about £100 a year was spent by him on the poor. Now the tenants pay a shilling in the pound of rental, and this gives the annual sum of about £160. General Burroughs himself said, in reply to another of the Royal Commissioners, that the rental of his estate is £3256. Now, a shilling out of the pound of a rental amounting to ‘£3256’ yields about £160 a year of road rates paid by the tenants, as against £100 a year of poor rates paid by General Burroughs, the landlord. This is, indeed, a very fine arrangement for General Burroughs. He gets £60 more on the road rates than he spends on the poor. Is this just to the tenants? And how does he support the poor? He takes a very high road rate from his tenants, a shilling in the pound of rent—and he gives the poor a sheer starvation-rate of support. Details will prove this. He gives some of his pauper poor 16s. a year, others 32s., others £2,—and the highest, as was stated by the inspector of poor, is £4 a year. Well might one of the Royal Commissioners ask, ‘Is it possible for people ‘to live on that?’ The fact is, the Rousay poor, whom the proprietor supports, would simply starve if their neighbours and friends did not take pity on them and support them. The tenants submit to this kind of treatment because they cannot see their fellow creatures die, and because they well know complaint to the estate management is useless and worse than useless, for while it would get no good to the poor, it would only bring down on whoever dared to breathe a complaint wrath, and more rack-renting, and, in good time, eviction—as witness what has now occurred, the eviction of two of the crofters’ delegates.

5. A special instance of the way in which the support of General Burroughs’ poor is managed was that of George Flows, a poor, afflicted, but very deserving man at Frotoft in Rousay, in the spring of this very year requiring parochial relief. Did the proprietor provide it for him? What was done was this—the factor got men to go round and collect subscriptions from each house in the several districts for this poor man; the tenants, who pay double road money on

the understanding that the proprietor will support the poor, thus supporting this poor man also. We would like to hear General Burroughs on this question of the poor and the roads. But we may say it has recently been decided, after several years' investigation by the Orkney Road Trustees with reference to this Rousay road question, that it is illegal for tenants to pay both their own and the proprietor's part of the road rates; yet this was done for years past here.

6. The painful duty has now to be discharged of reporting to you that since your sitting as a Royal Commission in Kirkwall, *two of the crofters' delegates have been evicted* by General Burroughs, viz., James Leonard and James Grieve. General Burroughs obtained in the Sheriff Court at Kirkwall decrees for their ejection from their houses and homes, and these decrees order that they shall not merely be removed from their present holdings, but that they shall not be received into any other house or cottage on the Burroughs' estate. They are so evicted simply and avowedly because they appeared and acted as delegates. They are both natives of Rousay, and related by blood or marriage to a large number of the people of Rousay. Neither of them were at all behind with their rent. A further hardship and wrong in their case is that *both of them are evicted from houses which they built themselves at their own cost*. First, James Leonard was the crofter of Digro. About sixty years ago his father reclaimed the lands of Digro croft from the ancient commons, or hill pasture, of Rousay, and sat for many years there without paying rent to any man. For twenty years back James Leonard has been the crofter of Digro, under General Burroughs, and improved the land during that time. Ten years ago he built a new house upon the croft at his own cost. From all this he is now evicted without compensation for any of his improvements or for the new house; but General Burroughs paid him a small sum for the *fixture woodwork* of his house, thereby acknowledging him, at any rate, as the tenant, which he had formerly denied. Second, James Grieve built a cot in addition to the steading of Outerdykes croft, which was his father's before him, and from this, without compensation, he is now evicted. We *protest* against these evictions of men who simply did their duty as delegates of their fellow-tenants at the call of Her Majesty's Government and Commission appointed for the very purpose of hearing evidence. I request in my own name, and that of my fellow-delegate, James Grieve, that you will report these evictions to Her Majesty's Government, that they may, by Act of Parliament or otherwise, provide compensation for our loss and disturbance, and render such evictions, and especially the taking away of improvements without compensation, illegal. It is obvious that our eviction is wanton and unrighteous, and we claim that the commons be restored to the people and ourselves to our houses. We trust you will report these matters to the Government for redress without delay.

7. In his published statement General Burroughs professes to have been surprised at the evidence given before the Commission, and tries to create an impression that the Church and the influence of ministers in Rousay raised the crofters' movement, especially that of the Rev. Archibald M'Callum of Rousay Free Church, who acted as one of the delegates and read their statement. This is an utter error, and is like the similar charge made by a factor against the Roman Catholic clergy in one of the islands of the Hebrides, which their bishop, Dr M'Donald of Argyle and the Isles, publicly declared was unfounded. We cannot understand General Burroughs' surprise. He had only too many complaints and disturbances long before the Commission. Such were the disturbances, as was stated in the evidence, that both he and his factor went together and repeatedly visited tenants to secure quiet, and his law agent, the

Jas. Leonard,
Digro, Rousay

LVII.

Jas. Leonard,
Digro, Rousay.

procurator-fiscal, Mr Macrae of Kirkwall, did the same, but with little success. General Burroughs then wrote to the Rev. Mr M'Callum to visit his tenants. It was by this act of General Burroughs himself that Mr M'Callum was first asked to intervene. And General Burroughs, by stating in his letter that, if quiet did not ensue, the subtenants would have to be removed, intimated that it was the arrangement of the land that was the cause of dissatisfaction and disturbance. Mr M'Callum replied that it was idle to expect peace here or elsewhere unless that justice, of which peace was only the fruit, was observed. It passes comprehension, then, how General Burroughs could pretend that all around him was 'in peace, happiness, goodwill, and contentment' until shortly before the arrival of the Crofters' Commission. Mr M'Callum was south the whole time the agitation lasted in Rousay, away from the island altogether, till about ten days before the meeting of the Commission in Kirkwall. Immediately on his arrival home a deputation of the crofters visited him and asked him to help them in stating their evidence. He did not consent to do so on the first visit of the deputation, but only heard their wishes and promised to consider their request. On a *second* visit of the deputation he agreed to attend our last meeting, and read our statement.

8. Lord Napier asked—Is it a matter of discontent or suspicion in the place that the procurator-fiscal stands in the relation of a factor to the proprietor, or did he ever *act* as factor? I beg to inform the Commission that he did so act, and that some time ago, when complaints were strong and numerous about high rents, General Burroughs spoke to him on the subject, when he (Mr Macrae) came out from Kirkwall, and went over the island with the proprietor, and valued, or professed to value and even analyse the land. I do not know where he learned how to analyse or even value land, but certainly his way of valuing and the results were most extraordinary. He went about the island carrying a small garden spade, with which he dug up a few inches of soil here and there. I may mention the fate of this spade. It was as follows—He was digging a spadeful of the tough soil of Triblo croft, when the tenant warned him to be careful or else he would break his spade. But he replied, 'No fear of that, I know what it can bear,' when immediately the spade broke. On another farm he said to the tenant that it was magnificent soil but for the amount of salt (whether too much or too little is not remembered) in it. The tenant answered, 'that's very strange, Mr Macrae, as a large practical farmer, who was here a short time ago, said the very opposite.' How he professed to ascertain the amount of salt is not known, but sometimes he would dig up a handful of soil with his toy spade, then rub it in his hand, and afterwards taste it by chewing it in his mouth. In another place, he said no man could teach him how to value land, and that this land, if it was in the Carse of Gowrie, would be rented at £4 an acre. On the farm of Essaquoy, in Rousay, he came across a field which consisted of a bed of solid rock, covered with a thin layer of earth too shallow for the plough. He said to the proprietor, 'If this man (pointing to the tenant) had a little capital, he could, by blasting the field, make splendid land of it,' and that he had seen this done in other places. The farmer replied, there was a *little* earth on it at present, but he was afraid that after the blasting there would be none at all. It is unnecessary to add that this way of valuing did not end in any relief to the tenants, although General Burroughs said at the meeting of the Commission in Kirkwall that 'he always found the leanings of lawyers and factors were towards the tenants.' I would respectfully beg the Commission to advise the Government that the office of procurator-fiscal should not be allowed to be held by any person who acts as law agent, land valuator, or factor for any proprietor in the same county.

9. The Commission may be aware that shortly after the Kirkwall meeting General Burroughs received a post-card, and a letter said to be of a threatening character. From a second post-card, addressed to the editor of the 'Orcadian' newspaper, of 24th August last, professing to be from the author of the post-card addressed to General Burroughs, it would appear that no threats whatever were used in it, although strong opinions were expressed about the way General Burroughs had acted before the Royal Commission in Kirkwall. A threatening letter, however, is an odious thing, and I cannot believe that any friend of the crofters ever wrote such a letter. The letter in question is supposed to be in the handwriting of a boy. At any rate General Burroughs acted as if he thought so. He inquired at the schoolmasters of Rousay if they knew the handwriting. It is a question whether it was competent for him, a magistrate, to act in his own case in this way. After this the island was visited by a most imposing array of officials of the Crown. Sheriff-Principal Thoms, Sheriff-Substitute Mellis, Procurator-Fiscal Macrae, Mr Grant, county superintendent of police, and Mr Spence, clerk of the fiscal, sailed from Kirkwall in one of Her Majesty's gunboats and landed in Rousay, in order to examine two boys. There was no evidence whatever against either of these boys except the handwriting of the letter was said to be like the handwriting of one of them. One of the boys was my own son, Frederick Leonard, aged fourteen, the other was the son of a neighbour who had taken a leading part in the crofters' meeting—his age was fifteen.

On landing at Rousay, Sheriff Thoms visited General Burroughs and remained in his company throughout the day. This indeed was nothing unusual, as the Sheriff always, when in Orkney, paid friendly visits to the general. The fiscal, Mr Grant, and Mr Spence then came along to the schoolhouse, Sourin, Rousay. Mr Grant and Mr Spence went to the neighbouring farm of Essaquoy, where my boy Fred was herding cattle. They did not ask for me, or for his master. They did not show any warrant or summons. Without any previous notice or warning of any kind, and without stating any charge, they demanded that he should come along with them to the public school, where they said some one wanted him. The poor boy, entirely ignorant of their business, and no doubt alarmed, had to comply. On arriving at the school the scholars were dismissed, and after a good deal of shuffling and wondering what poor Fred was doing there, a clearance was effected. The tribunal sat, and Fred, without any friend to speak a word of comfort to him (for none of us knew anything about it more than if he had been stolen), was called to face them alone—enough to have deranged a nervous-tempered boy. All things ready, pen and paper were handed to him, and he was made to write to dictation, which he did according to the best of his ability for a considerable time, until, as he expressed it, he was tired. The boy was made to write such expressions as 'Curse your bloody brains.' After this he was sent out of the school, and kept there in the custody of Superintendent Grant; was again called and shortly afterwards dismissed.

The reason of all this is still a mystery to me. The question very naturally suggests itself—Why was the poor herd-boy, who was apparently concerning himself as much about these things as the cattle he was tending, singled out? Was there anything peculiarly bad about him that he should be suspected? No; he bears a character as untarnished by vice as the general, or his friends the sheriff or the fiscal. Why then was he arrested? I cannot tell. It could be nothing against him in the eye of the law, that he was the son of one who acted as a delegate of the crofters. The other crofter's son, Samuel Mainland by name, was apprehended in the neighbouring island of Stronsay, on the following day, by Superintendent Grant. No warrant or summons was shown. They

LVII.

Jas. Leonard,
Digro, Rousay,

LVII.

Jas. Leonard,
Dirgo, Rousay.

sailed from Stronsay for Kirkwall about one o'clock, and arrived at Kirkwall a little before twelve the same night—not having been offered food for ten hours. Nor did he receive any in the lodgings to which Superintendent Grant took him till the following morning, thus being twenty hours without food. At ten o'clock in the morning he was brought before Sheriff Thoms and Fiscal Macrae in the Court-House, Kirkwall, and was privately examined by them at great length, till close upon one o'clock in the day—nearly three hours. He was examined partly about the letter referred to, *but principally* about the meetings held by the crofters in Rousay—who was at them, and what was done at them—of which the poor boy knew little or nothing. He was asked, for example, what I had said at the meetings, and especially what I had said when the delegates landed on the shore of Rousay the night they returned from the Commission at Kirkwall. After this three hours' examination was over, the boy was set at liberty, shown out of the Court-House, and left to find his own way home from Kirkwall to Rousay. It has been said to me by his father that the boy was not himself again for some time after undergoing this singular trial. The following week Mr Macrae made another visit to Rousay, as fiscal, about this letter in which General Burroughs was threatened. The party then visited was also connected with the crofters' movement, having attended the Commission at Kirkwall as one of their delegates, and read their statement. This next visit was to the Rev. Mr M'Callum, whom Mr Macrae visited at his manse, accompanied by Superintendent Grant and Mr Spence the fiscal clerk. *This* visit was the last they paid on this matter. Mr M'Callum threatened to report the whole proceedings to the Lord Advocate. He inquired on what ground Mr Macrae had thought proper to visit him in connection with such a matter. Mr Macrae, in reply, said he had been informed that Mr M'Callum had said that no native of Rousay had written the threatening letter, and that he had said so to the wife of a servant of General Burroughs. Mr M'Callum asked the fiscal, 'Did the woman pretend to think that he had any knowledge of who had written the letter, or that he had said anything that could mean that.' Mr Macrae stated that he had visited the woman, and that she had declared that she had not any such thought at all about it. Mr M'Callum stated that in that case it was surely an uncalled for proceeding to visit him in connection with that matter.

These things are now stated for the information of the Commission, who may imagine the effect they were calculated to have upon a people unaccustomed to the law and its terrors.

I have to express my regret that it is necessary to trouble the Royal Commission with this supplementary statement, but I submit it to you with the deepest respect, and out of a desire to do my duty, and give full evidence as a delegate to you, although I and my brother-delegate have suffered eviction from our houses and homes for simply giving evidence, according to our convictions, before you. I request you will give full consideration to our case and our complaints, which are already before you.

I beg respectfully to request that you will insert our supplementary statement in your report of evidence to Parliament, in addition to our former statement and evidence.

JAMES LEONARD.

II.—STATEMENT by Lieut.-General F. W. TRAILL BURROUGHS, C.B.,
of Rousay.

LXVII

Lieut.-General
F. W. Traill
Burroughs,
C.B., of
Rousay,
Orkney.

1 ATHOLE CRESCENT, EDINBURGH,
11th January 1884.

I have the honour to acknowledge the receipt of a copy of a document purporting to be a 'supplementary statement on behalf of the tenants and 'crofters' of Rousay, and submitted to the Royal Commission (Highlands and Islands) by James Leonard, who styles himself—'Crofter, Digro, Rousay, and chairman and clerk of the crofters' meetings,' dated Kirkwall, 28th November 1883.

As requested in the letter forwarding to me the above document, I now send to the Commission a copy of a letter I wrote to the newspapers on the 13th October 1883:—

'To the Editors of "The Scotsman" and "Orkney Herald."'

• THE ROUSAY EVICTIONS.

TRUMBAND, ROUSAY, 13th Oct. 1883.

'1. SIR,—I observe in your paper of the 10th inst. a paragraph headed "Eviction of Rousay Crofters," which proceeds to say that James Leonard and James Grieve have been warned out of their holdings.

'2. Neither James Leonard nor James Grieve are Rousay crofters.

'3. James Leonard's father did up to his death, some months ago, hold from me a small farm named Digro, of about nine acres in extent, in the district of Sourin, Rousay. His son James, who is precentor of the Free Church here, never was my tenant, but he is anxious to be so; but after having poured out a string of complaints in very uncomplimentary language against me, as reported in detail in some four columns of a local newspaper, in which he and the Free Church minister in this parish combine in describing me as unchristian, inhuman, unrighteous, unjust, oppressive, &c., &c., James Leonard says, "he was always opposed to General Burroughs," and would oppose me till death; that they had a local despotism which they wished removed; that "in every battle some had to fall; though he should fall in this battle he would fight it out," and "a man's a man for a' that!" and other similar sentiments. As no business, whether of agriculture or of any other description, can prosper where such want of unanimity exists between those engaged in it, I decline to accept him as a tenant. And I do not think any other employer would employ any one who threatened to be so troublesome. He is by trade a mason and a weaver, and he is a teacher of singing, and is not dependent upon farming for a livelihood.

'4. James Grieve, too, is not my tenant. He returned a few years ago from the colonies, boasting of having made money, and that he was looking out for a farm. He came to visit his brother, who is tenant of "Outerdykes" in the district of Sourin, Rousay. He married a housemaid who had been some years in my house, and out of kindness to her her husband was permitted to squat for a time on his brother's farm to enable him to look out for a farm for himself. Years have passed, farms in various parts of this county have been advertised to be let, but James Grieve is still here. He joined the Free Church minister in his attack upon me, and said he agreed in his evil opinion of me; that my tenants were "in a condition generally of great and

LVII.

Lieut.-General
F. W. Traill
Burroughs,
C.B., of
Rousay,
Orkney.

‘ increasing poverty ;’ that they were ground down and oppressed, and
‘ generally most miserable. I have no wish that any of my tenants should be
‘ miserable, and not being desirous of being a party to James Grieve’s misery,
‘ I decline to accept him as a tenant.

‘ 5: I may add that when my wife and I left Rousay last winter, we left
‘ home and all round us in peace, happiness, goodwill, and contentment. We
‘ were on friendly terms with the Free Church minister, and had been so with
‘ his predecessor the Rev: N: P. Rose, who visited Rousay shortly before the
‘ arrival of the Crofter Commission. The only differences I ever had with
‘ the Free Church minister were differences of opinion on School Board
‘ matters.

‘ 6. From James Leonard’s father I never had a complaint during the thirty
‘ years I knew him. He was a very respectable peaceable man, and I had
‘ always been on the most friendly terms with him: From his son James too
‘ I never had a complaint, excepting in my position of chairman of the School
‘ Board, when he complained of inhumanity (a favourite expression of his)
‘ against a teacher. James Leonard called on me on the 29th September,
‘ and asked me whether I was in earnest in intending him not to have the
‘ farm of Digro? I said I was, and explained to him why. He said he had
‘ no ill-will against me; that he had been put up to it to appear against me,
‘ but that he did not mean it, and that he had been told that funds would not
‘ be wanting to oppose me,

‘ 7. From James Grieve, too, I never before had a complaint, excepting that
‘ he objected to pay for fuel, and that he wanted a farm, and there was no
‘ farm vacant to suit him.

‘ 8. My surprise, therefore, may be imagined at the torrent of invective that
‘ was so freely poured out upon me by the Free Church minister and his
‘ delegates before the Crofter Commission. On leaving home in my steam
‘ yacht on the morning of its sitting in Kirkwall, I passed the Free Church
‘ minister and his friends becalmed in a boat about a mile from Rousay.
‘ Seeing their difficulty, and that they might be too late for the meeting, I
‘ towed their boat some eight or nine miles into Kirkwall, which, had I sus-
‘ pected their spiteful attack upon me, I need hardly say I should not have
‘ done.

‘ 9. Since I succeeded to this estate it has ever been my endeavour to do
‘ my duty by it, and to advance the wellbeing and prosperity of all on it.
‘ The measure of success that has attended my efforts is apparent to all who
‘ remember Rousay then and see it now: To those unacquainted with the
‘ locality, I may mention that when I first came to Orkney in 1848 there were
‘ no roads in Rousay, and consequently very few carts. Now there are some
‘ twenty miles of excellent roads, and every farmer has one or more carts, and
‘ many have gigs and other description of carriages.

‘ 10. Then there was no regular post to the island, and no regular means
‘ of communication from the island to anywhere beyond it, or even to any
‘ place within it. Now there is a daily post to and from the island, and a
‘ daily post runner around it.

‘ 11. There was then no pier, and no public means of transit of goods to
‘ and from the county town. Now there is a pier, built at my own expense,
‘ and a steamer, of which I am the principal shareholder, plying regularly to
‘ and from Kirkwall, but which has not yet paid a dividend!

‘ 12. Then the houses generally were very comfortless, few had any fire-
‘ place beyond a stone in the centre of the dwelling, with a hole in the roof
‘ above it: Now such an arrangement is hardly to be met with. Many new
‘ houses and steadings have been built by me at considerable expense, and to
‘ encourage comfort, prizes are annually awarded to the cleanest, prettiest,
‘ and best kept cottages.

'13. Agriculture was then in a very primitive condition: Now as good crops of oats, bere, and turnips are to be seen here as anywhere in the kingdom; and the sheep and cattle will now bear favourable comparison with those of most counties.

'14. We have, too, our local Agricultural Society, with annual ploughing and hoeing matches, and a cattle show. And we have our battery of volunteer artillery.

'15. In fact, the Rousay of to-day is a very different place to what it was thirty-five years ago, and how anybody can truthfully say that the condition of its inhabitants is one of "great and increasing poverty," as stated by the Rev. A. McCallum, passes my comprehension.

'16. Since I retired from the active list of the army, my wife and I have made Rousay our home. We have built a new house, and laid out its grounds, and have given much employment to those around us, and she has been the prime mover in all affecting the happiness and welfare of the inhabitants of the island, many of whom have written to us, and most of those whom we have met since the visit of the Crofter Commission have voluntarily told us that they did not share in the movements or sentiments of my detractors. And I have received most kind and thoughtful letters of sympathy from hundreds of old soldiers of my old regiment—the 93rd Highlanders—from all parts of Scotland, telling me "that they are full of indignation and anger at the treatment you have received, for they cannot think that he whom they served so long, and who treated them on all occasions with so much kindness and liberality, could behave so differently to others."

'17. My surprise, therefore, may be imagined at the torrent of invective poured out upon me by the Free Church minister and his friends.

'18. And my surprise was still greater at receiving an anonymous threatening letter, a few days after the meeting of the Crofter Commission in Kirkwall, threatening me with death should I ever remove a tenant from my estate. I have often been shot at before, and am not to be deterred from doing what I consider right by such a menace, which I can but regard as a new formula of the highwayman's threat of old, now rendered as—"Your land, or your life!"—I am, Sir, your obedient servant,

' F. BURROUGHS.'

This letter answers, I think, all the charges now repeated against me in this document, and which I thought I had already answered in my evidence before the Commissioners at their meeting in Kirkwall on the 23rd July 1883. It also answers the series of attacks which have appeared against me, now under the signature of 'James Leonard,' and now under that of 'James Grieve,' almost weekly in the correspondence columns of the *Orkney Herald* newspaper, since the sitting of the Royal Commission in Kirkwall. I will therefore merely supplement in this letter whatever may not be sufficiently explained in my letter of the 13th October.

Before doing so I would wish to draw the attention of the Commissioners to the style and diction of this so-called 'supplementary statement.' It is not that of an uneducated labouring man in James Leonard's position, although signed by him, but is evidently the work of the same person who drew up the 'statement' read before the Royal Commission in Kirkwall on the 23rd July 1883. Some explanation of this may be gleaned from the remarks made to me by James Leonard on the 29th September 1883, as noted in the concluding sentence of paragraph 6 of my letter of the 13th October, when James Leonard told me, in the hearing of a witness: He had no ill-will against me; that he had been put up to it to appear against me, but that he did not mean it, and that he had been told that funds would not be wanting to oppose

LVII.

Lieut.-General
F. W. Traill
Burroughs,
C.B., of
Rousay,
Orkney.

LVII.

Lieut.-General
F. W. Traill
Burrroughs,
C.B., of
Rousay,
Orkney.

me. The conversation I had with him on that occasion was so remarkable, that after he left me I wrote it down and sent it to the procurator-fiscal of the county, as throwing some light on the secret springs of the agitation, which certain outside agitators were endeavouring to raise in Orkney. I may also mention that in Orkney, where the true circumstances of the case are known, little sympathy has been expressed for the so-called 'evicted.' But endeavours are being made, by publishing distorted and untruthful statements regarding them, to extort money under false pretences from a sympathetic but too credulous public at a distance from and unacquainted with the true state of the case.

As I stated before the Royal Commission, and as I have repeated in my letter of the 13th October, I now reiterate that, from the many assurances to the contrary which both my wife and I have received since the sitting of the Royal Commission in Kirkwall from almost all our tenants, I am sure that the Rev. A. McCallum and his delegates represent but a very small minority of them.

I have fully explained in my letter of the 13th October what I stated before the Royal Commission in Kirkwall, and which I now repeat, that neither James Leonard (Digro) nor James Grieve ever were my tenants. Both their fathers were, but they never were; nor is either of them his father's eldest son to give him any claim to succeed to any portion of an unexpired lease.

The croft of Digro—some eight acres in extent, and abutting on the public-road of Rousay—up to the death, in the winter of 1882-83, of Peter Leonard (James Leonard's father), was held in Peter Leonard's name at a rent of £4. Old Peter Leonard, according to his son James's own statement before the Royal Commission in Kirkwall, had occupied this cot since 1823. James also says—'All the land was taken in long before General Burrroughs came to 'the island' (1848). Old Peter had sat for some years either rent free or at a merely nominal rent, which in sixty years had been gradually increased to £4. So that, at the very low rent he had so long been paying, ample time had been allowed him to recoup himself with profit at compound interest for his reclamation and improvement of the croft. Peter Leonard was a contented, sensible, and cheerful man, too honest to ask for or to expect compensation for improvements, in addition to the concession of having been permitted to hold the land at the very low rent at which he had so long held his croft. James Leonard is not his father's oldest son, and has no claim to succeed him. Whilst I was absent from home serving in the army, and whilst there was no resident factor on the estate, without my permission, and without any permission that I can find any clue to from my factor, then resident in Kirkwall, James Leonard did erect a cot on his father's croft, entirely for his own convenience, and where he lived rent free and was the better able to carry out his trades of mason and weaver. His father never lived in this cot with him, but lived in a separate house on the croft. When declining to accept James as a tenant, after his saying that he always opposed me and would oppose me to death, &c. &c. (as stated in my letter of the 13th October), although in no wise bound to recompense him (as admitted by himself in his evidence before the Royal Commission) for this structure, erected in defiance of the estate rules, I had it valued by two neutral persons, the one chosen by him and the other by me, and the price they appraised, what under other circumstances might have been due to James Leonard, amounting to about £26, I paid him. The donation of this compensation James Leonard twists into an acknowledgement from me of his being my tenant. I may here mention that no less than some fifteen persons—sons, daughters, and grandchildren of old Peter Leonard—under one pretence and another, were living on this eight acre croft of Digro at the time of his death. This could not have continued. I therefore declined to permit James, the mason and

weaver, who was best able to provide for himself and his family elsewhere, to remain there. The others are there still.

James Grieve's case is explained in my letter of the 13th October. He, too, never held land from me. He misleadingly states in the so-called 'supplementary statement' that he had 'paid rent regularly.' The only payments he ever paid me were for the privilege of cutting fuel peats from the moss near his brother's farm, where he was living; and these payments he paid very irregularly, and gave my factor much trouble in collecting them.

Under these circumstances, I would beg leave to ask, Would any one placed as I have been have acted differently? Had any one a candidate for a tenancy under him, or even a tenant, who told him that he had been opposed to him always, and would oppose him to death; and, in addition to this, were he to receive an anonymous letter threatening him with death if he declined to accept such a person as his tenant; would he, I ask, be intimidated into compliance? And, if so, in what state would the condition of his affairs soon be? Not only have I, since last July, been thus threatened, but, seeing that the threat was lost upon me, an anonymous letter bearing the Kirkwall post-mark, 20th September 1883, was sent to my wife (as if from her old house-maid, now Mrs James Grieve) threatening us with 'the darkest page in Orkney history' (which has some very dark pages) if she did not remove me and all Caithness men and strangers out of the island. I have no doubt in my own mind who were the writers of these two letters, but I have not yet sufficient legal evidence to convict them.

I am accused of bringing 'landlord terrorism' to bear upon my tenants to induce them to sign a memorial in my favour, whilst my guests with their children at a school feast which my wife has been in the habit of giving yearly to the school children. This is of a piece with other equally unfounded charges brought against me. My wife, whose one idea has always been to do good and to make happy all around her, was so hurt at the wicked and untruthful statements made by the so-called 'delegates' before the Royal Commission in Kirkwall, on behalf, as they said, of *all my tenants*, that she had resolved not to take any trouble on their account any more, and declined to give the children's party. It was only after the many kindly greetings we received from all we met in Rousay, after our return from a short visit to Germany, and the many assurances they gave us that they had no sympathy with the agitators, and that what they said neither represented the feelings of the inhabitants of, nor had any weight in, our island community; and that the disappointment to the children would be punishing the innocent many for the discontented few, that she relented from her resolve and gave the party. She, however, purposely abstained from inviting a single parent, feeling that if the sentiments promulgated by the 'delegates' were shared in, as they affirmed, by the body of our tenantry, many of the usual faces seen at our former parties would probably be absent. A much larger number than usual of grown-up people did, however, appear at this party, and by their friendliness gave us to understand that they had come to show their goodwill towards us. The party went off very cheerfully. Its so doing, we were afterwards informed, was a fresh cause of offence to the agitators. One of the principal tenants, after a meeting of the district road committee held that morning in my house, where, in the absence of any public committee room in the island, such meetings always have been held, did start a paper stating that the so-called 'delegates' did not in any way represent the signatories of the paper. This paper was, I am told, taken round by our friends for signature, but was not numerously signed, from fear of the vengeance of the agitators; and to such an extent was this carried that, as stated in the so-called 'supplementary statement,' 'nobody could be got there' (in Sourin, in the neighbourhood of the Free Church manse) 'to take the thing round for signatures.' Threats of

LVII

Lieut.-General
F. W. Traill
Burroughs,
C.B., of
Rousay,
Orkney.

LVII.

—
 Lieut.-General
 F. W. Traill
 Burroughs,
 C.B., of
 Rousay,
 Orkney.

vengeance and of destruction to stock, crop, and property were dealt out by the agitators, and this in an island ten miles by sea from the nearest policeman. The effect of this was that the peaceful and law-abiding, who had personally assured us of their disavowal of all connection with the delegates, withheld their signatures from the document for fear of the persecution and terrorism of the disorderly. To such a pitch had this attempt to establish a reign of terror in this hitherto quiet and peaceful island come to that the schoolmaster, the copy-books of whose scholars had been examined by the authorities in connection with the anonymous letters, and who had been 'south' to get married, and who had now returned with his bride, was met at the landing-place by a party of roughs, who hooted and howled at them, and who also threatened with their vengeance the farmer who sent his carts to cart up their furniture and baggage from the shore to the schoolhouse. The school premises were damaged, and the inspector of poor, who had also befriended the teacher, was nightly subjected to their annoyance. A part of his enclosure dyke was knocked down, and his fishing-boat was broken. On hearing of this, I immediately personally visited the district, and called at the houses of the parents of the disorderly young men who had been led astray to break the peace, and I told the parents I would hold them responsible for the misdeeds of their dependants. I annex a copy (Enclosure 1) of a letter I wrote to a young man on this subject; and I am glad to say I have heard of no more disturbances since. The signal failure that has attended the efforts of the agitators to continue to disturb the peace of the community shows the good sense of the great body of my tenantry, who, with the exception of a few in the vicinity of the Free Church manse, have stood aloof from this noisy strife. The so-called 'evicted delegates' have met with no sympathy in the island of Rousay, nor in the county of Orkney, where the true circumstances of their case are known. I have, therefore, no reason to alter the assertion I made before the Royal Commission in Kirkwall, that the delegates did not represent the sentiments of the great body of my tenantry.

I sent to the chairman of the Royal Commission on the 19th September 1883 the following correction to my evidence in Kirkwall in respect to the farm of Westness and Quendale, viz., 'The cots in Quendale and Westside, which formerly (1842) brought in £75, 15s. plus £64, 16s. 9d., or, together, £141, 11s. 9d., after being consolidated into one farm, and after having had about 1500 acres of hill pasture added thereto, and after an expenditure of more than £3000 thereon (for building, dykeing, and draining), now bring in a rent of £600 a year.' I at the same time corrected a calculation made by Mr Fraser-Mackintosh, that 'about £17,000 was spent on my house.' The correct amount expended on my house and grounds (in building, furnishing, and laying out) up to the end of 1882 was £11,690, 3s. 3½d., which is some £5300 less than stated by him.

In paragraph 3 of the so-called 'supplementary statement,' I am charged with having caused the undertened so-called 'evictions,' viz.:—

1. Edward Louttit.—I never even heard of this case before.
2. James Sabiston.—He had a lease from me in the island of Veira. At the expiry of his lease he declined a new lease.
3. Thomas Sinclair.—He agreed to rent from me the meal-mill of Sourin, together with the small farm of Hurtess, on the understanding that his father was to start him in the concern. His father resiled from so doing, and the son had to give it up. Thomas is now living with his father in Rousay.
4. Widow Gibson (Langskail).—Two brothers Gibson conjointly held this farm, and were, although on the best of terms, in one another's way. One brother was drowned, and left his widow in very comfortable circumstances. At the expiration of the lease I renewed it with the surviving brother. The widow and her grown-up son took a large farm in another parish.

5. Hugh Inkster (Hammer) is a sickly man, unable, he says, to work, and consequently unable to cultivate his farm. He refused to pay school fees, and assaulted a teacher who asked for them. I left him in his house, and gave his land to another who was able to cultivate it. His wife brought his case before the Royal Commission at Kirkwall.

LVII.

Lieut.-General
F. W. Traill
Burroughs,
C. B., of
Rousay,
Orkney.

6. Wm. Louttit (Farraclet).—His lease expired, and he declined a new lease.

None of the above cases are what are usually understood under the term 'eviction'; nor has there, to my recollection, been a single case of eviction since I succeeded to the estate; nor was there in my grand-uncle's time before me, for any person he removed he offered another place to.

Paragraph 4 of the so-called 'supplementary statement' is a tissue of mis-statements. Its writer says—'We would like to hear General Burroughs on 'this question of the poor and the roads.' I accordingly append hereto (Enclosure 2) a tabular statement of the sums annually assessed and expended on account of the Rousay district roads, from 1841 to 1883, by which it will be seen that I have paid £510, 11s. 3d. in excess of my assessments. I have also at my own expense built a private pier, which is freely used by all, and which cost me some £640. During the same period there has been no poor assessment on the parish, but the poor of Rousay and Veira have been supported by me; and besides free houses and fuel, and in some cases land to cultivate, they have received in money payments, through the inspector of the poor, some £3100. The poor in this, as in other parishes, have been relieved according to their needs and their ability towards contributing to their own livelihood. I am now accused of giving to the poor 'a sheer starvation rate of support!' The best answer to this is that no valid complaint, that I can remember, has ever been made to the Board of Supervision of inadequate relief. Had there been any just cause of complaint, no amount of landlord terrorism would have stood in the way of its being published trumpet-tongued to the world. However, as the agitators are not pleased with the present arrangement, which they say 'is indeed a very fine 'arrangement for General Burroughs,' I have declined to continue it, and I have applied to the Board of Supervision to have henceforth a legal assessment imposed upon the parish for the support of the poor.

Paragraph 5 purports to give 'a special instance of the way in which the 'support of General Burroughs's poor is managed' in the case of 'George Flaws, a poor, afflicted, but very deserving man at Frotoft in Rousay.' The statement regarding this poor man is very misleading and dishonest. G. Flaws was not a pauper at the time the subscription was got up for him. I was then in Germany. I heard from the inspector of poor of G. Flaws's case, and that he had no wish to have his name entered on the roll of paupers; that he had stated, when called upon by the inspector, that 'he still had of 'his own to do his turn.' The inspector gave Flaws £1 from me to add to 'his own.' He had been, when in health, an obliging man and a good tradesman, and very popular, and I understand that his friends did raise a subscription for him. This subscription was not originated either by my factor or myself, but by a farmer in Rousay. G. Flaws is alive, and able to state his own case.

Paragraphs 1 and 6 are so mixed up together that I have replied to them at the commencement of this letter. The long leases my tenants have enjoyed at low rents, and the amount of money that has been expended on estate improvements, as detailed in the 'Memoranda of the extent of farms, their rental, and the sums expended upon them, and on the estates of 'Rousay and Veira generally, in way of improvements, from 1840 to 1882,' as handed in by me to the Royal Commissioners at their meeting in Kirkwall, will, I think, fully confute any accusation of over-renting, and of want of compensation for improvements.

LVII.

Lieut.-General
F. W. Traill
Burroughs,
C.B., of
Rousay,
Orkney.

Paragraph 7 says that 'General Burroughs tries to create an impression that the Church and the influence of the ministers in Rousay raised the 'crofter movement, especially that of the Rev. A. M'Callum of the Free 'Church in Rousay.' From the inquiries I have made, and from all I have heard, the impression, I regret to say, has been forced upon my mind that the last and the present Free Church minister in the parish have not been unconnected with this 'crofter movement.'

Paragraph 7 also states that General Burroughs 'had only too many complaints and disturbances long before the Commission. Such were the disturbances, as was stated in the evidence, that both he and his factor went together and repeatedly visited his tenants to secure quiet; and his law agent, the procurator-fiscal, Mr Macrae of Kirkwall, did the same, but with little success. General Burroughs then wrote to Mr M'Callum to visit his tenants. It was by this act of General Burroughs himself that Mr M'Callum was first asked to intervene. And General Burroughs, by stating in his letter that, if quiet did not ensue, the sub-tenants would have to be removed, intimated that it was the arrangement of the land that was the cause of dissatisfaction and disturbance.'

The truth of this much distorted statement is, as I stated in my evidence before the Royal Commission in Kirkwall, that a quarrel took place in the district of Wasbuster (Rousay) between a farmer's wife and the sister of another farmer. I was appealed to as a justice of the peace by the farmer's wife, and had almost succeeded in making peace between them. I also wrote to Mr M'Callum, as they were members of his congregation, and asked him to call upon them. After his visit the matter got worse, and it was ultimately brought before the sheriff-substitute; and although decided by him, a considerable amount of ill-feeling survived, and this was shown in various spiteful acts. The husband of the farmer's wife complained to me of certain cottars, his sub-tenants, who, he said, had sided against his wife, who is a stranger to the county, and had been very rude to her. I considered the cottars were to blame; and I told them that if they could not live at peace with their neighbours they would have to remove. As before said, the case was dealt with by the sheriff-substitute, and a record of it will be found in his Court-books.

The remaining paragraphs of the so-called 'supplementary statement' are attacks upon others rather than upon me; and I have no doubt they will be able to give satisfactory explanations of them.

In conclusion, I would beg to say that only about three years ago, when I returned home after a short absence, during which I had been promoted to be a major-general, a large body of my tenants welcomed me on my landing at Trumbland Pier (Rousay), and presented me with an address of congratulation on my 'well-earned promotion,' and they expressed the hope that I was now about to retire from war's alarms, and quietly settle down for the rest of my life at home. They took the horses out of my carriage, and dragged it up the avenue to my house. Nothing in the interval between that time and the visit of the Royal Commission to Orkney had occurred to disturb the good feeling then subsisting between my tenants and myself. I left home in the winter of 1882-83, and paid a visit to the Continent. On my return in July 1883, to my very great surprise, I found myself suddenly and unexpectedly assailed in the very spiteful manner in which I was attacked by certain so-called 'delegates' before the Royal Commission. The more I have inquired into this agitation, the more convinced I am that it is an exotic product which has been fostered into growth by the unscrupulous agency of outside agitators.

F. BURROUGHS, *Lieut.-General.*

ENCLOSURE I.

LVII.

Copy of a Letter (omitting Persons' Names) addressed to a Young Man, on the Subject of attempting to establish a Reign of Terror in the District of Sourin, Rousay, Orkney, N.B., by Lieut.-General F. W. T. Burroughs.

Lieut.-General
F. W. Traill
Burroughs,
C.B., of
Rousay,
Orkney.

TRUMLAND, ROUSAY.

General Burroughs has received Mr —'s note of the 8th inst. He is as much surprised and grieved as Mr — says he himself is to think that Mr — has made the mistake of taking himself for another, for General Burroughs never mentioned Mr —'s name when he called at —.

His visit was a friendly one to Mr —'s father, for whom he entertains much respect and regard, to warn him ere too late to prevent any of his sons getting into trouble. For the very disgraceful proceedings at the arrival of Mr — with his newly-married bride had reached General Burroughs's ears, and he had seen the damage that had been done by night to the school premises. He had heard that the young bride's first exclamation on landing at Sourin and experiencing the very savage treatment she and her husband met with was, 'Where have you brought me to?' And well she might. If she writes to her friends in the south, which she probably has already done, and describes her first landing at Sourin, her friends might be excused in imagining that her husband had taken her off to Owyhee, where Captain Cook was murdered, and where they eat missionaries, instead of to one of the group of the islands constituting Great Britain.

General Burroughs was very sorry to hear that one of Mr —'s sons was mixed up in this disgraceful affair. Just imagine if any of the people of Rousay when they go south were to experience on landing in Caithness, or at Aberdeen, Glasgow, or Leith, the treatment they accorded to Mrs —, where would they think they had got to? And when people in the south hear how in Rousay they treat strangers arriving amongst them, it will raise very angry feelings towards them when going south to better themselves they arrive elsewhere as strangers.

General Burroughs is very glad to hear that Mr — took no part in the late disgraceful scenes, and he hopes that none but the very foolish did so.

It is General Burroughs's duty as a justice of the peace to take notice of all irregularities occurring in Rousay; and in the execution of this duty, and for the peace and comfort of all the respectable residents in the parish, he will leave no stone unturned to bring delinquents to well-merited punishment, and he looks to Mr — and to all the respectable members of the community to do their duty by aiding him to do his.

It is only by preserving peace and goodwill amongst the community generally that it can prosper. Those who stir up strife amongst us do so, however disguised their motives, to serve their own selfish ends, and bring misfortune upon their dupes. General Burroughs is very glad to hear that Mr — has no sympathy with such men.

10th October 1883.

N.B.—This letter was in reply to one from another son of the same man, who, to shield his brother, had cunningly saddled himself with the offence.

F. W. T. B.

LVII.

ENCLOSURE 2.

Lieut.-General
F. W. Traill
Burroughs,
C.B., of
Rousay,
Orkney.

*Abstract of the Assessment and Expenditure of the Road Accounts in the
Island of Rousay, Orkney, from 1841 to Whitsunday 1883.*

Crop.	Assessment.	Expenditure.	Remarks.
	£ s. d.	£ s. d.	
1841	...	50 2 11	
1842	...	4 13 8	
1843 } 1844 }	...	...
1845	...	24 12 0	
1846	...	...
1847	...	17 8 10	
1848	...	16 8 2	
1849 } to 1855 }	...	...	Interval caused by death of G. W. Traill, Esq., and succession of his grand-nephew.
1856	27 3 2	66 3 2	
1857	45 3 7	60 10 1	
1858	53 17 9	89 10 8	
1859	65 5 6	133 4 5	
1860	69 9 7	70 9 2	
1861	72 19 10	86 4 10	
1862	74 6 4	92 1 3	
1863	77 8 3	112 7 10	
1864	79 3 4	94 16 4	
1865	85 2 10	100 2 5	
1866	85 16 10	93 8 6	
1867	85 14 2	101 5 4	
1868	86 10 6	106 9 5	
1869	86 10 6	89 17 10	
1870	87 1 0	107 18 2	
1871	88 8 0	59 16 0	
1872	88 11 0	62 5 4	
1873	98 13 6	220 15 11	
1874	98 3 6	126 1 7	
1875	99 12 0	51 7 6	
1876	102 9 0	59 11 9	
1877	119 2 0	78 4 11	
1878	...	131 12 2	No Assessment in 1878. Assessment 6d. in £.
1879	61 5 9	117 17 10	
1880	132 10 6	104 17 6	
1881	138 10 0	140 3 3	
1882	137 2 6	102 7 0	
1883	71 6 9	55 4 2	
	2317 7 8	2827 19 11	
Deduct	...	2317 7 8	
More spent than Assessment.)	...	510 11 3	

N.B.—During this time there was no poor assessment in the parish. The poor of Rousay and Veira were supported by me, and besides houses and in some cases land they received in money some £3100.

I have also built a private pier, which is freely used by all, and which cost me about £640.

True copy, F. BURROUGHS.

III. STATEMENT by JOHN MACRAE, Esq., Procurator-Fiscal, Orkney.

LVII.

John Macrae,
Esq., Orkney.

KIRKWALL, ORKNEY, 8th January 1884.

I wrote you on the 19th ult. acknowledging receipt of your letter of the 17th forwarding proof of a statement to the Royal Commission (Highlands and Islands) by Mr James Leonard, and requesting any observations thereon which I might be disposed to offer. I stated that I would avail myself as early as possible of the opportunity afforded to me by the Commissioners.

In now doing so, I shall confine my observations to the 7th, 8th, and 9th heads of the statement, being the heads in which my name appears.

In the 7th head it is stated that 'such were the disturbances, as was stated in the evidence, that both he (General Burroughs) and his factor went together and repeatedly visited tenants to secure quiet, and his law agent, the procurator-fiscal, Mr Macrae of Kirkwall, did the same.' I beg to inform the Commissioners that, as regards myself, the statement is not true. I never did visit, or was asked to visit, tenants to secure quiet. A precognition was taken in Rousay on 6th September 1881, under a warrant granted by the sheriff upon a petition at my instance as procurator-fiscal, with reference to a charge lodged by one female against another of assault by throwing dirty water; and upon the 30th September 1882 another precognition was taken in the island, under a similar warrant, with reference to a charge of malicious mischief, consisting of injuries done to a reaping machine and some scythes which had been left over Sunday in a field adjacent to the public road. Neither of these cases disclosed any disturbance among the tenantry upon the estate. The case of assault arose out of a disputed right of footpath. The other was of a class that is not uncommon, when opportunity occurs, although it was the only case of the kind that had occurred in Rousay since 1873. The precognitions in both cases were, in usual course, submitted to the sheriff-substitute, who, in the case of assault, directed the accused to be tried summarily; and in the case of malicious mischief ordered no further proceedings, the evidence being insufficient.

With reference to the 8th head of the statement, I beg to inform the Commissioners that I acted as factor for General Burroughs for the period from 7th April 1874 down to the end of 1875. My predecessor was the late Mr Scarth of Binscarth, who acted as factor upon the property for about thirty years. When I became factor the whole farms and crofts upon the estate were, with a few exceptions, held under leases or sets for periods of years—the shortest period being seven years. It is untrue to say that there were then, or during the time that I was factor, 'complaints strong and numerous about high rents.' I should be much surprised if there had been, as Mr Scarth, who arranged the rents, was a proprietor and farmer himself, as well as factor upon various other estates in Orkney, and his sympathy with, and encouragement, in many substantial ways, of the tenant-farmers upon the estates of which he had charge, are well known.

It is not true that General Burroughs spoke to me, either before or during the time that I was factor, about complaints being made to him that the rents had been too high; neither is it true that I visited any of the tenants or made any inspection of their holdings in consequence of such complaints.

LXVII
 John Macrae,
 Esq., Orkney.

When General Burroughs requested me to accept of the factorship after Mr Scarth's retirement, I felt, and Mr Scarth concurred with me, that I could only manage the estate efficiently at a distance, by acquiring a minute acquaintance with the various holdings. Accordingly, of my own accord, I, in April 1874, immediately after my appointment, spent several days in inspecting farms, taking those first that might sooner require my attention than others. I continued this inspection during part of the months of September and December 1874, and would have gone on and completed my inspection of the whole farms if it had not become apparent that it would be prudent for General Burroughs to have a resident factor; and accordingly, in the summer of 1875, the present resident factor was engaged, and entered upon his duties towards the close of the year.

I do not remember the whole circumstances in connection with my inspection, but I can recall enough to enable me to state to the Commissioners, as I now do, that some of the details professed to be given in the statement are untrue, and that others are grotesque distortions or perversions of facts. If the Commissioners should desire it, I shall, from the recollections of the tenants whose farms were visited, and of General Burroughs and myself, compile a statement of the circumstances which, I should hope, would have at least the merit of being accurate. In matters of arrangement between proprietors and their tenants I have striven to keep steadily in view that their interests are in the main identical, and that a proprietor who wishes his farms well cultivated must take care that the tenants are not only suitable, but that they should have their farms at rents which will enable them to live comfortably and save something. It is only a matter of simple justice to the Orkney proprietors to say that they are fully alive to this, and, so far as I can speak from experience, they have not, on the whole, been unsuccessful in applying the rule.

I observe that the writer of the statement suggests that proprietors should not have the power of availing themselves, if they think fit, of the professional services of the person who may hold the office of procurator-fiscal. It is not proposed that tenants or any others should be deprived of this power, so I might let the suggestion pass. I can say, without boasting, that to more tenants in Orkney than proprietors, do I act as professional adviser, and that not a few of these are tenants in Rousay.

It may not, however, be out of place for me to refer the Commission to the fifth report of the Commissioners appointed in 1868 to inquire into the Courts of Law in Scotland. On page 45 of this report, the Commissioners state that they 'approve of the mode in which these officials (procurators-fiscal) are appointed, and the conditions on which they hold office.' They further state that a majority of them 'do not concur in the suggestion that the procurators-fiscal should be prohibited from private practice, and think the effect of such prohibition might not unfrequently be to prevent the public from obtaining for this important office the services of the most suitable person. A minority who consider that the ends of justice would be better attained if procurators-fiscal were debarred from private professional practice are at the same time persuaded that this view could only be carried out by enlarging the present rates of salary allowed to these officers, and giving them a corresponding retiring allowance.' I may also refer the Commissioners to evidence taken by the Law Courts Commissioners on the point which will be found in their minutes of evidence. By referring to the index under the heading 'Criminal Procedure—Procurator-Fiscal,' the portions of evidence dealing with the question will readily be found. Shortly after that evidence was taken, the office of fiscal for Mid-Lothian had to be

filled up, and the view that the procurator-fiscal should not be debarred from private professional practice was acted upon. I may state that my own opinion, founded upon my experience here, is, that to confine a procurator-fiscal within a range narrower even than that of a sheriff or sheriff-clerk, would, especially in counties where the duties require only a portion of his time, be very prejudicial to the public interests. He could not possibly obtain that general knowledge of circumstances which presently enables him to decide at once upon the course of investigation which he should follow in any particular case; nor would he be able to conduct the investigation with that facility, discrimination, and accurate fulness of relevant detail, which are the results of a many-sided experience. In conducting important trials he would not, on account of his limited and intermittent experience and want of general forensic practice, be able to cope with lawyers in daily practice in matters civil as well as criminal. The result would be that a feeling of contempt for the administrators of the law would grow up in the minds of that section of the community whom it is desirable to impress with a wholesome fear of the criminal law, and with a sense of the efficiency of those who are called upon to administer it. As pointed out by the Law Courts Commissioners in their fourth report, p. 21, the sheriff is the executive officer in matters criminal and the chief executive magistrate in every county; and in this county either the sheriff or the sheriff-substitute take the direction of investigation into crime of all classes, and dispose of all cases that may arise, determining whether there should or should not be criminal proceedings adopted; and, if criminal proceedings are to be adopted, whether the case should be tried summarily or reported to crown counsel. There is therefore no room for the procurator-fiscal to exercise any partiality, even if he were so disposed.

With reference to the 9th head of the statement, I may state that I acted under the immediate direction of the sheriff of the county, and under warrants granted by him, in consequence of a letter in the following terms having been submitted to him:—‘General Beroughs,—Sir, I have Noticed in the Papers that you are determined to Remove these Men that give Evidance to the Comission in Kirkwall well if you do as Sure as there is a God in Heaven if you remove one of them there Shall be Blood Shed for if I Meet you Night or day or any where that I get a Ball to Bare on you, Curs your Blody head if it dose Not Stand its chance. thire is More than me intended nail you you are only a divel and it is him you will go and the Sooner the Bitter and if you Should leave the Island if it Should be years to the time you Shall have it O Curs your Bloody head if you dont you divel the Curse of the Poor and the amighty be on you and if he dos not take you away you Shall go So you can Persist or Not if you chuse but be sure of this you shall go I State No time but the first Convenienc after there removal.’ I am not at liberty to enter into the particulars which the precognition taken disclosed, but I may state generally—(1) that a formal written complaint of the crime of writing and sending a threatening letter was, along with the letter and the envelope thereof bearing the Rousay postmark only, lodged, which necessitated the action of the sheriff in the matter. (2) That that complaint was laid in due course before the sheriff, who happened to be in the islands at the time, and who granted the usual warrant for summoning witnesses to be precognosed. He intimated that he would (as he did) superintend the precognition himself and dispose of the case. (3) That to carry the sheriff, sheriff officer (who happened to be also the superintendent of police), and myself and clerk as soon as possible to the Island of Rousay, the sheriff, who was sending the ‘Firm’ to Zetland on

LVII.

John Macrae,
Esq., Orkney.

LVII.
 John Macrae,
 Esq., Orkney.

business of the Fishery Board of Scotland, arranged that we should start by her early on the morning of the 16th August 1883, and be dropped by her *en route*, which was done, and she proceeded to Zetland. No other means of so expeditious conveyance could have been secured, and it attained the sheriff's object of reaching the island, and getting what information he could, without the visit and its object becoming known, as it otherwise would. (4) That Frederick Leonard was not arrested, but sent for and voluntarily accompanied the messenger to my presence. He was precognosced by me in the public school where the other witnesses were precognosced. If he had been arrested, it would have been my duty to have had him taken forthwith before the sheriff for examination, which would have been done, as the sheriff was at the time in the island. (5) The sheriff, after considering the precognitions, granted warrant for the apprehension of Samuel Mainland, and for his being brought before him for examination next day at Kirkwall; and Grant the officer, with this warrant in his possession, went off immediately and apprehended Mainland in Stronsay. (6) I am informed by Grant, the officer who apprehended Samuel Mainland, that Mainland was offered and partook of food, consisting of herrings, oat bread, biscuits, and tea, along with himself and the boatmen while on the voyage to Kirkwall, and that on his arrival at Kirkwall he was offered but refused to partake of any food. I have no reason to doubt the accuracy of the officer's statement. He is a most reliable and experienced officer, and I have always found him very considerate and humane in his treatment of prisoners. In the case of Mainland, the officer further says, that after taking the boy to Kirkwall, instead of placing him in a cell, he allowed him to sleep all night with a brother in his lodgings. (7) The sheriff, to avoid Mainland's detention longer than was necessary for the ends of justice, himself took the young man's declaration at 10 o'clock A.M. next day, and, after considering it, and the precognition taken, liberated him. Everything was done as expeditiously as possible, and in ordinary course. Mainland's expenses back to Stronsay could not be paid under the rules which obtain at Exchequer. (8) The sheriff, before leaving for the south, instructed the sheriff-substitute to continue inquiries as to the charge. Hence I made other two visits to Rousay, and it was in consequence of a statement made by the Rev. Mr MacCallum bearing upon the crime which was under investigation, that it became my duty to precognosce him, and I did so.

JOHN MACRAE.

LVIII.

STATEMENT of the Rev. CHARLES CLOUSTON, LL.D., Minister of
Sandwick, Orkney.

SANDWICK MANSE, STROMNESS, ORKNEY,
24th September 1883.

LVIII.
Rev. Charles
Clouston,
D.D.,
Sandwick,
Orkney.

I am favoured with a request that I will furnish the Commissioners with a written statement on the subject of their enquiry in Orkney.

I am sorry that the illness of Lord Napier prevented the Royal Commissioners from calling here as they intended, when I would have given them any information in my power; but I feel that in writing on the subject I might be far from giving them the information they wish without sending me such queries as they wish me to answer.

I may, however, say that the Commissioners would find little in their line to rectify in this parish, as we have no complaining crofters, but above seventy heritors, most of whom occupy their own properties, and the principal proprietor, who is resident, and owns one-third of the parish, allows a member of the family of any tenant who dies to succeed to the farm, and I do not recollect of any one on the estate being evicted.

The parish was valued at £763 in 1816, and is now valued at £3,564, 8s. 4d.; but I believe the tenants are better able to pay their present rents, than they were those of the former period, owing to the increased price of produce, particularly that of cattle, and the improvements in agriculture.

Their habitations and dress are greatly improved, and also their mode of living, since I began to do duty in the parish as assistant minister in 1822.

CHARLES CLOUSTON.

LIX.

LIX. REMARKS on the Agricultural Classes in the North Isles of Orkney.

By WALTER TRAILL DENISON, Esq.

Walter Traill
Denison, Esq.,
Orkney.

WEST BROUGH, SANDAY, ORKNEY,
August 1883.

From the absorption of the udal lands by feudal superiors down to a comparatively recent period, the occupiers of and labourers on land in Orkney may be classed as follows :—

1. Proprietors farming the whole or part of their own lands. Previous to 1730 landowners often rented farms from other proprietors, placing in such farms greives or managers. The reason of this was the want of capital, which would have enabled other men to become farmers.

2. Tenants holding large farms from 50 to 1500 acres, inclusive of waste land. These were men who, by steady and industrious conduct, had raised themselves a very little above their class, and who never could have been able to take a large farm but for the existence of steelbow.

3. 'Peerie tenants,' that is, small tenants holding farms from 10 to 50 acres. The second and third class paid rents almost wholly in kind, having little else to pay. These rents were paid, part to the 'king'—that is the superior duty, part to the minister—teind, and the remainder to the landlord. When a boy, the writer has heard a very old farmer of the second class say, 'Miny a peur year it gae me enouch adeu tae pay the king and the 'minister; and deily stiver o' siller, or settin o' bere got the laird frae 'me.'

4. 'Oncas.' The word cottar is of more modern use in Orkney, but may be regarded as synonymous. The onca held from the large farmer a house, a piece of cultivated land called a haerst fee, one, two, or three 'coogils' of grass land—a coogil was a cow's grazing, for which he paid in 'crish butter'—that is coarse butter, in spinning, and in fowls. He had right to keep a certain number of sheep on the 'hagi,' or out pasture common to the district, for which he paid a tenth of the wool and a tenth of the produce of his sheep. The onca wrought to the tenant in harvest, helped to thatch the steading, to thrash Yule straw, to take up ware—sea-weed—in Vore; spring, mell clods in bere seed, to weed thistles and cut peats in summer. In short, he was called on whenever his master required him. And for his occasional labour he received an allowance of bere.

5. Bowmen, that is ploughmen in modern phrase. If married, the bowman had a house, sometimes a bit of land, and a cow's grass. His wages paid partly in money, principally in bere and meal. He was allowed half a cow's hide a year for 'shoddin,' out of which he made a substitute for shoes. So late as 1848 the writer knew farms on which bowmen rose at four o'clock A.M. in winter, plodded in the darkness over wet paths from their homes to the farm-house, where they thrashed corn with flails till daylight began, which would be about four hours. They then fed their horses, went

home for breakfast; returned and yoked plough or cart before ten o'clock, and wrought while daylight lasted. They then, if their 'stent'—that is the number of sheaves each was obliged to thrash per day—was not finished in the morning, had to go to the barn and finish their allotted task. They then went home carrying a 'baet' of bent—that is a small sheaf or bundle of bent, which each man had to wind into cords during the evening at his own fireside and present to the barn man in the morning. In stormy weather the bowman was employed in making straw baskets and mats, much used in the old husbandry. During the press of work in spring and seed time the bowman had a most laborious life, working from fourteen to sixteen hours a day.

Such were the agricultural classes in Orkney while the old mode of farming was pursued.

Allow me next to draw attention to a few of the more prominent points in the history of agriculture here. No one can thoroughly understand this history who does not make himself acquainted with the fraudulent exactions, cruel wrongs, and tyranny practised on the Orcadians for centuries by the representatives of the crown. But that subject is beyond my limits, and would be to the Commissioners a tiresome theme.

Previous to the fourth decade of the eighteenth century, the condition of the labouring class in Orkney was miserable in the extreme. The land was burdened by intolerable taxation, and the people fleeced by rapacious crown donataries, who acted more like Turkish pachas than the representatives of a civilised and Christian Government. The scanty surplus, which a crippled husbandry enabled the country to export, was carried to ports in Norway and the Netherlands in vessels ill fitted for crossing the German Ocean; and grain was often transported to Norway in open boats. The county was for long without schools; the working people were sunk in abject poverty, in deepest ignorance, and abominable filth. And there was no help, no hope, for them. No emigration for the surplus population, which went on increasing in the face of terrible and long-continued privation. The only help that came to the wretchedly poor men and women was devastating epidemic in the shape of fever and smallpox, and their only refuge the churchyard.

The manufacture of kelp was the first gleam of hope that dawned on this night of misery. So far as the writer can discover, kelp was first burned in Orkney on the island of Stronsay by a Mr Fea in 1719. The first cargo of kelp was shipped from Orkney in 1725. From that time the manufacture of kelp gradually increased until it became a most important article of export, creating a trade with Newcastle and other British ports. This manufacture had a very beneficial effect on the labouring people living near the shores. The writer has heard an old man tell how he heard his grandfather say that he never had a coin in his hand, never saw the colour of money, until he was forty years of age, when Westove gave him money for burning kelp. Men in the poorest class saved a little money, and were able to take farms. Farmers saved a good deal of money, and were able in some instances to become proprietors, while many proprietors, by extravagant expenditure of increased revenue, went to the wall.

And here let it be remarked that ware, sea-weed for manure, and kelp shores have ever been regarded as the property of the landowner. While kelp was slowly producing a change in the social system, agriculture remained almost stationary.

In the first half of last century Sir James Stuart introduced improve-

LIX.

Walter Traill
Denison, Esq.,
Orkney.

LIX.
Walter Traill,
Denison, Esq.,
Orkney.

ments on his property. But he was hated as an innovator, stigmatised as a 'mesterfu' man; and having taken part in the rebellion of 1745, died prematurely in prison. A few enterprising gentlemen tried improvements, during the latter half of last century; but it was only towards the close of the eighteenth and beginning of the present century that an improved mode of husbandry was introduced here. And in noticing its introduction I shall confine myself to my native island of Sanday. In this island Malcolm Laing the historian first began improvements on his farm of Stove. When he began there were on the property twelve cottars, including four on a mortification in the management of the kirk-session and four small tenants. Four houses were built for the holders under the mortification, and four for crofters by the proprietor. Each house had a piece of good arable land and right to pasture on a piece of ground enclosed for the purpose. The cottars and tenants not accommodated in these crofts were provided for on other parts of the estate. It needed a brave heart at that time and place to commence improvements on such a farm. The cultivated ground would not amount to 200 acres, lying in fields of every conceivable shape, here and there mixed up with patches of grass land belonging to some cot, the cots scattered among the arable land in every imaginable position, as if fallen from the clouds. Some of what is now cultivated land was an impassable bog. One part, where corn-fields now wave, formed the basin of a lake, on the small islets of which hundreds of aquatic birds built their nests. And, worst of all, five or six hundred acres of land covered with heath, coarse grass, and used as a common, common not to the public, but to the district well defined. In old charters this common is called the 'hagi o' the toon.' By the people it was called the 'clow-gong o' the 'boon'a.' The first step that an improver of the land had to take was the cutting off the wild native sheep, an animal whose depredations no common fence could prevent. His next and equally unpopular step was putting a stop to winter pasturing, to explain which, it must be understood, that whenever the corn crops were brought in the yards, horses, cattle, sheep, and pigs were allowed to roam at large over the whole country. Laing, or rather his brother, who succeeded him in the estate, drained when draining was a novelty here, squared and enclosed his fields, put an end on his property to the wild sheep and to winter grazing, and was abundantly cursed for doing so. He demolished the cots, removing the cottars; but was far too liberal and humane to injure them by their removal.

The late John Traill Urquhart of **Elsness** next began the new system of farming in Sanday, carrying the improvements on in the same manner. One of his improving tenants in another island met with lawless opposition, having his implements flung over high crags, and so determined was the opposition he met with from the people that the farmer had to give up. And the farm of Housbie, now the finest in the county, had to lie for forty years more in its primitive and wilderness state.

But did these pioneers of good husbandry profit by the improvements they introduced? Alas, no. Some time after the commencement of improvements, Mr Laing's profits for one year on the farm of Stove were reported to be 5*l*. And on another improving farm on the same estate the whole profit was 3*l*. And succeeding years give not even profit in pence, but heavy and increasing loss. And improvements were stopped by the estate becoming insolvent. The same fate followed the improving estate of Mr Urquhart. And by many who regarded innovations with distrust, if not with hatred, those two examples were pointed to as conclusive evidence against the new mode of farming.

A dock was seen to grow on or near the grave of one of those innovators, and the people said—'Providence thus showed displeasure at the war he had waged against weeds when alive.'

But the real reasons of failure were obvious, and may be shortly stated thus. Incompetent, extravagant, and dishonest managers on the improving farms. The introduction of merino sheep wholly unsuited to the climate. And above all, the difficulty of sending produce to market, these improvements having begun before the era of steam. Add to this, the sudden and excessive fall in the price of kelp, which crippled many, and ruined some of the Orkney lairds.

Let us now see how it fared with the cottars, who, during these improvements, had become crofters. Being best acquainted with the four crofters on the property of Stove, the writer takes them as an example. The land they cultivated sustained their families, leaving a small surplus for sale. By the manufacture of kelp they paid their rents. And they had opportunity, then eagerly embraced, of earning daily wages at the large farm,—in short, they were looked upon by the neighbouring cottars as the best-conditioned labouring men in the parish. And to show that where careful they were in a position to save money, the following is given :—One of the crofters having held his croft, and wrought most industriously for about fifteen years, was desirous to obtain one of the crofts on the mortification alluded to above—where he might sit rent free. The kirk-session was the managing trust, but the minister made himself the sole manager. The worthy crofter had no legal right to the bequest, but he possessed something more potent, namely, Philip's golden key. The crofter gained the much-coveted prize, and enjoyed it till his death. The writer once jocularly said to this man, 'You must be well off, man, sitting in this nice croft and paying no rent.' "Aye, aye," said he, "it's a' ye ken about it. I tell you, between what I paid the minister, and what I paid to the lawyer, I just paid £120 o' clean siller afore I got the house, and many a present beside." Not bad savings for an Orkney crofter before the days of steam.

The next great epoch in our agriculture was the introduction of steam communication between Orkney and the ports of Leith and Aberdeen, 1833. And if steam may not be regarded as the creator, it assuredly has been the nursing-mother of agriculture in Orkney. By this time the public were more familiar with modern husbandry, gradually, and more judiciously introduced. And now the old cottar and bowman system has become a thing of the past. Cottars have been removed to positions more convenient alike for them and for the working of the larger farms. And in reference to the statement of a witness before the Commission in Sanday, to the effect that the crofters had been banished to poor scraps of land, the writer shall only say, that on Colonel Balfour's property in this island, many of the crofters hold land equal in quality to the best on any of the large farms.

When cottar system was done away on the property of Colonel Balfour, the cottars regarded it as a deliverance from Egypt. And no one can deny the benefits conferred on the cottars of Orkney by the change. There are perhaps two exceptions to this, namely, the islands of Rousay and Eday; where, in the writer's opinion, high rents charged from the crofters seriously diminish the benefits derivable from the change.

It must not be forgotten that, in some instances, a modified system of cottary is still retained; that is, near some of the larger farms some of the occupiers of small holdings are obliged to work on the large farm when

LIII.

Walter Traill
Denison, Esq.,
Orkney.

LIX.
Walter Traill
Denison, Esq.,
Orkney.

wanted. Where the occupiers hold direct from the proprietor, the rule was generally laid down that such labour should be paid for at the average rate in the country. Where the small occupier held from the farmer, he of course was a party to his bargain, but if he stayed in his place had only the good feeling and conscience of the farmer to prevent that bargain being a hard one for him. And the writer is extremely sorry to say that in some cases conscience and good feeling have not been strong enough to protect the poor man. The necessity for labourers on the large farms is the argument used in defence of this system; and, as the condition of the crofters improve, this necessity will be augmented. Something also can be said in its favour, from the poor man's point of view. A young man newly married wishes a place of his own, but is unable to furnish a house and stock a croft. He asks a farmer for one of the cot-holdings, and also for a loan of money, to enable him to stock the place. The farmer, who may be benefited by his labour, very often grants his request, and the young man mounts the first step in the ladder, which without assistance he could not have done. This is no imaginary case, the writer having often been a party in such arrangements.

And now let us briefly compare the past with the present as regards the condition of the labouring class in Orkney.

First, as to the value of land. The farm of Housbie, in Stronsay, was let by Lord Collington to Patrick Fea of Whitehall, exactly two hundred years since, for £20 sterling and the public burdens. That farm, including crofts, now yields a rental of nearly £1000 per annum. About the middle of the eighteenth century a property in this island was offered to be sold by Coventry of Newark to the writer's grandfather for £200; that property now yields a rental of £350 per annum. A farm now valued at £200 was, in 1798, offered on lease to my father for £30 a year. As to the improved state of the land, only one example is necessary. When Mr Laing began improvements on the farm of Stove there were under 200 acres of cultivated land on the farm, there is at present a square mile of cultivated ground on the place.

Now turn to the labouring class, and first, their houses. During the last bygone, and through many years of the present century, the chosen site for a cottar's house was the south side of a rising ground. The earth was dug away from where the house or rather hut was to stand, until a perpendicular face of earth was cut on the north side, equal in height to the north wall of the house. This natural embankment gave shelter, and also saved stones, as the north wall was built with what was called one-face; the natural ground forming at once the outer surface and support of the wall. The side walls were generally from 4½ to 5 feet high. The gables often built of turf. Mortar rarely used, but loose earth thrown in among the rubble work while building. The only door often consisted of a straw mat. There was no window, no opening but the 'lum-hole,' near the middle of the roof, and a reek-hole in one end of the hut, always stuffed up unless when the smoke became intolerable. The fireplace was in the middle of the floor. Parallel to, and about two feet from the horridly damp north wall, a row of flags was set up on edge, fixed in the earthen floor. The trough formed by the damp wall, for back, the damp earth covered with a little straw or heather for bottom, and having the cold flagstones for front, was the bed of the Orkney peasant during the greater part of last century. Perhaps the greatest improvement in the domestic economy, occurring towards the close of that century, was the introduction of close wooden beds. These beds, though utterly opposed to our modern ideas of fresh air and ventilation, were probably well adapted for the draughty huts

in which they stood. The writer, when young, has frequently seen cot-houses having the inside walls plastered with cow-dung. And, if he may be allowed to quote from a note-book of his, some idea may be formed of how cottars sometimes accommodated themselves at night. The date of day is obliterated. 'March 23 or 25, 1847. Took a very long walk in search of specimens. 'Attacked by a monstrously uncivil storm of wind and rain. Sought refuge in 'the house of T. R., weatherbound there for three hours. Gave T. R. a piece 'of tobacco and chatted with him on affairs of Church and State. His is a 'miserable house some 14 by 12 feet. Seeing only one bed in house, asked him 'how he and his wife and six children put up all night. "Weel," said he, "jeust 'look i' the inside o' the bed, an' ye'll say it's weel planned tae haud eight o' us. 'The wife and I lie wi' our heeds at the head o' the bed, the twa eldest lie with 'their heads at the foot o' the bed, the peerie* t'ing—that is the baby—lies i' his 'mither's bosom, the ain next the peerie t'ing lies i' mine, and the middle twa lie 'on a shelf in the foot o' the bed, over the heads o' the eldest twa. An' trath I 'can tell you we are no' cauld gin I close the bed doors. But plague on the 'dogs, gin the eldest ain is no' growing sae lang, that miny a time he gaes me 'a box wi' his foot under the chin." Struck with his ingenuity in packing 'human beings, I took the following measurements of the family packing-box: '—length of bed 5 feet 8 inches, breadth 3 feet 10 inches, height from bottom 'boards to roof, 4 feet 8 inches.' At the present time the crofters generally have two, sometimes three apartments, one fitted up as the best room, with wooden floor, grate in fireplace, curtains, blinds, and geraniums in window.

With regard to dress in last century, the peasant, when a boy, wore only one woollen garment fitting close, having sleeves, and covering the body from neck to knees, it was called a jupe. With head and feet bare, this was his only dress until he was able to work. When first hired as a servant, his first wage was often a blue bonnet as arls or earnest, a harn shirt, wadmill to make coat and breeches, and half a cow's hide for rivlings. Harn was an exceedingly coarse cloth made from the refuse of flax; wadmill, home-spun woollen cloth; rivlings were a sort of sandal, made of cow-hide, with the hair clipped off. As the man grew in ability, a waistcoat was added to his simple wardrobe, and the harn shirt was exchanged for a home-knitted woollen one called a 'frock.' The peasant wore on his head a Scotch blue bonnet, and more anciently a conical woollen cap of many colours. When out of doors, in snow or wet weather, he wore round his legs, from ankles half up to knees, a straw rope neatly wound round each leg. Long coarse stockings, tied above the knees with long garters, completed the costume of the Orkney peasant in past times. The harn, of which shirts were made, was so hard and coarse in texture that it seemed best fitted for the penitential shirt of an ascetic monk. Old men have told me that, when wearing these shirts, they always threw them off at night, because the straw was softer to the skin than the harn. They slept on the bare straw, covered with a harn sheet and one coarse blanket. They often reversed the good wife's order of bed-clothes, by putting the blanket below the sheet. The farmer who preceded me in this farm came to the island some time between 1800 and 1810; he told me that when he came there were in one parish only two labouring men who possessed a cotton shirt.

During the old régime the Orkney peasant's food was not only meagre in quantity, but in quality inferior, if not pernicious. His "morning piece," when he arose, was half a bannock of bread made from bere ground on the quern (handmill), in which the seeds of all manner of weeds were carefully retained

* "Peerie" means little.

LIX.
 Walter Traill
 Denison, Esq.,
 Orkney.

so as to increase the quantity of meal. His breakfast was porridge and milk, or dry porridge when the cow was dry. The porridge was made from meal of the black native oats, in which there was a still larger quantity of wild plant seeds. His dinner was fish if possible, not often fresh, for he preferred it sour; sour fish having been the Orcadian's marine venison. Failing fish, he had shell-fish or crustacea, with which the shores abound. The dinner was in summer sometimes diversified by nettle broth, the nettles being boiled with a little meal. The water in which the dinner fish, or shell-fish, had been boiled was carefully preserved, and in it the cabbage for supper was boiled. After supper the vessels—wooden plates, or basins and cogs—were carefully washed, the washings, along with any remains of cabbage, were kept till morning, and then mixed and boiled with the breakfast porridge. The only salt was salt water; with that the peasant's wife seasoned all her food. Salt was sold in the beginning of this century for its weight in oat-meal. As a rule, the cottar never tasted flesh unless on holidays. On those days he certainly took revenge on the poor ordinary fare by enjoying himself to the utmost. The above may be regarded as the normal bill of fare; but in years of scarcity the privations endured by the peasant were often extreme. And even in average years I have often been told by old people that they never tasted bread made from grain for three months in the year, that is, from the time the old crop was finished and until the new was ready. If during this time the peasantry ate bread at all, it was what they called 'reuthie breed'—that is, bread made from the seed of wild mustard reuth being the name of that seed in Orkney. But to go into details on this subject could only pain and disgust the humane mind. It should not, however, be forgotten that the peasant of the past had no cheering cup of tea or soothing pipe to solace him in his hardships. The first luxury seems to have come to him about the close of the first half of last century in the form of snuff.

With regard to his dress in the present century, enough to say that the Orkney peasant or crofter is now equal with, if not superior to, any of his class in the kingdom. Perhaps the most important change is the improvement in the quality and comfort of his underclothing. It is needless to say that an equally important and satisfactory change has taken place in regard to his diet. Tea and loafbread are now more common in the houses of the peasantry than they were in the houses of landowners eighty years since. Jams, jellies, and fancy bread are now sold in the country shops. A respectable wholesale merchant told me that about ten years ago he sold in one year to the shopkeepers in this island, containing about 2000 inhabitants, hair oil to the value of £20. Tobacco smoking began about the beginning of this century, and is now universal among our peasantry, the average consumption being two ounces of Scotch twist a week per man.

Though not altogether a groundless surmise, it is given—as it only can be—as the writer's opinion, that there never was a period of the same length, as that from 1863 to 1883, in which the crofters of Orkney had a larger sum of money in the bank. Be this as it may, the comparative rate of wages is another criterion by which to judge the condition of the peasantry in the past and in the present. And only one instance shall be given to show how matters stood at the close of last century. In 1792 the writer's father, anxious to encourage a good servant who acted as his barn man, raised his wages from 7s. 6d. to 10s. in the six months, the former being the common wage at the time. For doing so he was soundly rated by two

of his brother farmers in the churchyard on the following Sunday. Immediately before the granting of public money for drainage enabled some of our proprietors to begin draining on their lands, the daily wage of a man labouring on a farm was 10d. The demand for drainers slightly enhanced the price of labour, and raised the farm-worker's wage to 1s. a day of ten hours. This was the average rate of wages when, in 1851, the writer began farming; and he shall now confine himself to his own experience. A man's daily wage gradually rose until it is now 2s. The wage paid by the writer for a man in harvest was, in 1852, without any allowance for food, £2, and is now £3, 5 stones of meal in the month, and 10s. for milk. A girl's daily wage in 1851 was 6d., and is now 1s. In 1856 he paid his ploughmen £8 a year, 5 stones meal a month, 2 tons coal, 60 chains of potato drill, one Scotch pint of new milk per day, and a free house. The average wage he now pays his ploughmen is £19, 10s., all the other articles same as before, with the addition of keeping for each ploughman one ewe, and the keep of her lambs till Lammas. By selling his lambs at Lammas the man often adds to his wage from £2 to 50s. The ploughman also keeps a pig and poultry *ad libitum*.

And as to the comparative value of stock. In a legal appraising, taken by authority of the Court of Session in 1693, now before me, 'a good milk cow' is valued at £7, 10s. Scotch, a sheep at 1s. 6d. Scotch. But without going into details as to the far past, let one example in recent times suffice. In 1851 the writer, at the displeasing sale of his predecessor in this farm, bought two two-year-old oxen for £7 each. Though the cattle were good, having a dash of Dunrobin blood from their dams, and of shorthorn from their sire, the price at the time was thought extravagantly high. In five years afterwards these cattle, without being stall-fed, brought £40. In 1869 two oxen, two years old, one of them the same girth as one of those already mentioned, the other two inches less, were sold from the same farm for £40, 15s., and this may be taken as a fair example of the rise in value of stock in Orkney. And in the advantage arising from this the crofters have fully participated. The writer has himself bought from a crofter, paying under £4 of yearly rent, a two-year-old for £19, 10s. Crofters of late have often sold one-year-old cattle at from £10 to £13, and two-year-olds at £20. Of course, had the crofter's holding been larger his profits would have been augmented; but this argument holds equally true in the case of the large farmer. In 1836 eggs sold at 1d. per dozen in winter, and in summer could not sell at all. Eggs now sell at 8d. in summer and 1s. in winter. The writer remembers rabbits being sold at 1d. each.

Finally, it is not a matter of opinion but of absolute certainty with the writer when he asserts that there never was a time since Orkney became a dependency of Scotland when the Orcadians possessed a larger amount of material wealth, or were so comfortably housed, clothed, and fed as at the present time.

When before the Commissioners, the writer said he did not know that any article required by ploughmen had risen in value since 1856. On thinking over the subject, he finds that the price for making clothes has slightly increased. He is told by one who has served him since the last named year that a pair of boots then cost him 15s., and now cost 17s. Owing to greater competition groceries are cheaper now than they were thirty years since. And, perhaps, the greatest boon to our peasantry has been cheap paraffin oil, by which their miserable old lamp, that gave forth not a dim religious, but

LIX.

Walter Traill
Denison, Esq.,
Orkney.

Evidence,
Q. 23494.

LIX.

Walter Traill
Denison, Esq.
Orkney.

a dim and ghostly light, has been superseded by the beautiful modern lamp, giving a light in which all household occupations can with comfort be pursued during the long winter evenings.

In regard to the wages paid the manufacturers of kelp, the earliest date before me is in the year 1773. The wage then paid was 17s. per ton. On this farm the wage in 1851 was 27s. 3d. The wage now is £2, 2s. 3d. The writer is not aware of any employment in which a labourer can earn an equal amount of money, in a given time, as in the making of kelp, provided the weather be favourable for drying the drift weed.

The important question still remains, Have the Orkney crofters any just grounds of dissatisfaction with their present condition? And it is most desirable that parties looking at this question should as far as possible divest themselves of class or selfish feelings. Let us look at the complaints brought before the Commission by the Orkney crofters. One of these complaints was the high rents. So far as the writer's knowledge goes, this complaint is well founded in the islands of Rousay and Eday, and in some cases in the parish of Burness in Sanday. And these, it is thought, should be taken as exceptions to the general rule. The two largest proprietors in the county are the Earl of Zetland and Colonel Balfour. And the writer firmly believes that if an offer was made to the crofters on these estates to rent their crofts by arbitrators mutually chosen, nine-tenths of the crofters would refuse the offer, and would rather trust themselves to the known liberality of their landlords. The truth is that many of those crofts remain at the rent fixed before the rise in the price of cattle. Another complaint is the want of leases. And here, in the writer's opinion, the great majority of Orkney landowners are wholly wrong. A crofter may feel himself secure with his proprietor's promise, but this promise ends with the landlord's life, and his successor may not feel himself bound by another's verbal promises for which there is nothing to show. And the crofter without a lease live, in a state of doubt and suspense, always detrimental, often fatal, to energetic farming. The same thing holds true with regard to another grievance, namely, not being remunerated for improvements, but does not hold on the property of James Traill of Ratter, where tenants are provided with part of the materials required for building by the proprietor. Another complaint was that crofters had been removed to the most inferior land. And this is in most cases simply untrue, and where true, it took place from the desire of the landlord to square his property, and to have land on larger farms un-mixed up with smaller holdings. Another grievance was stated to be the existence of large farms. And the desire was expressed that the small farms should be increased in size at the expense of the large. The writer doubts that whatever he may say on this point may have to the ears of others a class ring. Be this as it may, he holds that large farms have been, are, and may be expected to be an advantage to agriculture, and therefore a benefit to the country. Nay, more, that such farms are of advantage to the crofters themselves. It is needless to say that it is only men possessing some capital, who can introduce and carry on successfully many of our modern improvements in agriculture. Thrashing-mills and reapers, even on the larger crofts, are now quite common here, and were first introduced by large farmers or landowners. The same holds true regarding the improved breeds of horses, cattle, sheep, and pigs. And without the improvement in live stock that has taken place during the present century, Orkney would still be in a semi-barbarous state. Since 1851 there has been paid out on the writer's farm £425 for pure shorthorn

bulls, and the surrounding crofters have always had the use of these animals for a small fee.

Though carefully abstaining from any abstract arguments in this paper, it may be remarked that the removal of large tenants from the country would be the removal of a link in the social chain that binds society; a link coming between the landowner and the crofter. It should be remarked that crofters did not ask for a greater number, but for an enlargement of the present crofts. Now such an arrangement could only benefit the present holders of crofts, and would seriously augment the difficulties of a young man seeking to become a crofter, because the larger the croft, the greater amount of capital would be required to stock it.

Complaints were made as to the small share the manufacturers had in the profits of kelp. What has been already said may suffice on this subject. With regard to sea-weed, drift, or cut, the landowner's right to such has been immemorial in Orkney. Sea-weed, to all lands having access to the shore, was the very backbone of the old husbandry.

A statement was made before the Commission by one of the Sanday delegates to the effect that ploughmen employed on large farms were, when unable to work, thrown aside like useless machines, and became a burden on the parochial board. The following, if a representative fact, shows the fallacy of such a statement:—On August 7th of this year the parochial board of Lady parish, in Sanday, met. The board subjected the pauper roll to a careful analysis, with the following result. Whole number of paupers, twenty-seven; paupers who when able-bodied have been employed on large farms, four; doubtful, one; leaving twenty-two to be accounted for by other than the ploughman class. The modified system of cottars complained of has been already noticed. In addition, the writer may say that he has three cottars on his farm, that one of them has been in that position for over twenty years, and never showed any discontent with his position until he was employed at a neighbouring mill for 20s. a week. Another of these cottars has held his cot for thirty-one years, and though an active and intelligent man, has never attempted to remove from a state that has been characterised as bondage and slavery. But it is admitted, and with sorrow, that we farmers in our sometimes desperate efforts to keep our own heads above water, occasionally, perhaps unwittingly, give our fellow-men a kick, who are struggling for the same object though on a lower level.

The Orkney crofters as a class are energetic and intelligent men, possessing an ample stock of God's best gift, the gift of common sense. But in this island, at least, their intelligence and common sense was by no means represented by the delegates who appeared before the Commission. And here it must be said that the Commissioners should have known what number of crofters each delegate represented. Because, with the exception of the delegates from Burness, these delegates in reality represented only a very few of their class. And that few was composed of discontented men, who, stirred up and egged on by inflammatory letters in the newspapers, believed that they should immediately obtain an addition to their holdings by simply asking the Commissioners to give them more land. The author of some of these letters is a D.D., a preacher of the gospel. His letters need not be characterised further than by saying that they show a very different spirit from that of the letters of St Paul to the Christian slaves of his time. That man is no patriot, and is a traitor to the spirit of Christianity, who by word or act seeks to widen the breach already existing between the upper and

LIX.

Walter Traill
Denison, Esq.,
Orkney.

Evidence,
Q. 23627.

LIX.

Walter Traill
Denison, Esq.
Orkney.

lower classes in our country. This doctor is continually talking about udal rights, but either forgets or does not know that all the inhabitants not udal born were thralls, without any civil rights.

The crofters on the estates of the Earl of Zetland, Colonel Balfour, and James Traill of Ratter are as a rule in as comfortable circumstances as men who are not proprietors may expect to be until the millennium. But all crofters are by no means so well off. One is known to the writer in the parish of Burness, whose family has been on that estate for six generations, and who, ever since his rent was raised by the new proprietor, has been obliged to draw out of his small deposit in order to meet his yearly rent.

Now, by what means can the condition of the crofter class be improved? This could be done most effectually by making each crofter proprietor of his own croft. But, allowing such a change to be desirable, none but a visionary dreamer would seek to accomplish it in any sudden or revolutionary manner. However ridiculous such an idea may appear, it is thought that this change would be extremely beneficial not only to the crofter class, but to the community at large. It needs no prophetic eye to discern some ugly rocks ahead of the state vessel. Heaven grant us a good pilot when we near them. Now it is believed that in a time of public commotion or calamity, no class would be found more loyal to the state than a class of peasant proprietors, for loyalty will be found to dwell in the land. But space forbids entering on all the advantages arising from the existence of such a class. But admitting that such a thing is desirable, how is it to be obtained without violent convulsion in the body politic? It is at once answered, let there be free trade in land as in every other article of commerce. Let land be as easy of transfer as a ship or a bale of cotton. Do away with the barbarous entail laws, and with the law of primogeniture where the proprietor dies intestate. And only in such cases should this law be abrogated, because it is by no means desirable to force the division of land. Next appoint a commissioner, not a needy or broken down aristocrat, but a shrewd business man, with powers to buy at public expense estates coming into the market. When an estate is bought, he has to survey and cut it up into lots, not smaller than five, not larger than forty acres. These lots then to be exposed for sale by auction, the only restriction being that no single purchaser shall possess more than one lot. It would, however, be worse than useless here to go into details on a scheme which its opponents would regard as revolutionary, and its friends as utopian. Meantime, it is sincerely to be wished that each class would realise the duties it owes to the other classes of society. There is no class that can more abundantly enjoy the luxury of doing good than the landowners of our country. But the luxury of self-indulgence is much more attractive to all classes. It may be too gloomy a view, yet it is to be feared that one half of society act on the maxim that man's chief end is to make money, and the other half on the maxim that his chief end is to spend it on his own pleasure.

And now, in apology for the unconscionable length of this paper, I can only say with Pascal that I had not time to make it shorter.

WALTER TRAILL DENISON.

LX.

STATEMENT by Mr JAMES BROWN, Delegate, Torse, Caithness.

(See Evidence, p. 2359 et seq.)

LX.

James Brown,
Torse, Caith-
ness.

I, James Brown, have been appointed delegate by the crofters in the Torse district. I am a farmer; my age is thirty-six.

One thing we have to complain of is, that so much of the land in this parish is laid idle from economic use in the shape of a deer forest at Langwell and Braemore.

If the half, the third, or the tenth of the parish is laid waste, how can it be expected that the remainder will support the people and pay the local taxes?

Another thing is, that all grouse moors held by landlords in their own hands, such as Latheromwheel in this parish, should be free from local taxes. Surely it is a crying injustice that the poor man should be taxed on the sweat of his brow and the bread that he eats, and that the rich man should have his sport scot-free.

I would suggest as a remedy that the agricultural value of all lands used wholly for pleasure should be ascertained, the rent confiscated and applied to the relief of local burdens, and that all grouse moors should be assessed at their letting value as other subjects are for the same purpose.

This would in some measure check the evil, but it would still leave a national loss of all that these idle lands might produce, for which you in your wisdom may be able to recommend a remedy.

JAMES BROWN.

LXI.

LXL

Petition,
Inhabitants of
Stroma.PETITION from the Inhabitants of the Island of Stroma to the
Right Hon. Lord NAPIER and ETTRICK, K.T.

My Lord,—We, the undersigned, the inhabitants of the Island of Stroma, pray that you will hear us in the undernoted petition:—

As your Lordship is aware, our Island is situated in a very dangerous part of the sea, where navigation is carried on, at any time, at great risk to life and property.

From the earliest time it has been the custom of the Islanders to burn peats as fuel. There is no turf suitable for such on the Island; and your petitioners have (generally in the month of May) to cross to Duncansby and Gills, a distance of three miles, to cut their fuel, where the *moss* is some distance from the shore. After it has been cut, we have to cross again and scatter it, so that it may dry. When it is dry we have to take our carts and horses across in boats of 15 feet of keel or thereby, so that we can cart it to the top of the brae, whence we have to carry it to our boats. This having been completed, we take back our horses and carts, and commence to boat the fuel across. There is no harbour at Gills nor at Duncansby, and the landing places here are of the poorest description, the water being shallow at the shore, and the bottom rocky. As soon as the boat touches ground on this side, we have to discharge the fuel at once owing to the nature of the bottom. The fuel has to be left at the top of the beach, and afterwards carried to the top of the brae, whence we drive it home. This is very laborious work, and it has to be done at a season when we could do best at fishing, and when fish would require little attention in drying.

All our live stock, meal, provisions, &c., have to be landed in the same manner.

The herring fishing has increased amongst us of late. Last year one boat of 50 feet of keel was built for the place, and this year four of nearly similar dimensions have been added to the number of large boats, which before was ten, besides small line boats which number forty-five. These boats have to be beached, or rather hauled up on the flat rocks as soon as they return from the fishing, as there is no place of safety to leave them in, until a suitable opportunity offers itself for beaching them.

From the above particulars your Lordship will see in what need of a harbour we stand. Had we a harbour we could charter a small vessel with a cargo of coals, which would save us from toiling so hard for fuel. Again, we could fish (from *which we mainly derive our support*) during the time we formerly spent in cutting fuel, all of which would tend to promote our comfort.

A harbour could be constructed at very little expense, as there are plenty places around the island, whose natural shape would make it a very easy task to form a harbour where they are. There is abundance of material in the shape of stones and gravel, at hand, that could be used for the purpose of making concrete, &c.

We approach you in hopes that you will do whatever lies in your power to help us in the construction of the proposed harbour.

And your petitioners will ever pray,

ALEXANDER SINCLAIR, *Fisherman, Orofter,*
and 113 others.

LXII.

STATEMENT OF WILLIAM R. TAIT, Esq., C.E., Factor for the Murkle Estates, Caithness.

LXII.

Wm. R. Tait,
Esq., C.E.,
Factor for
Murkle.
Evidence,
Q. 37,820.

MURKLE ESTATES OFFICE, TRUBSO, CAITHNESS,
1st Nov. 1883.

In the evidence taken before the Commissioners at Lybster in Caithness, Mr. Donald Mackay, delegate from Bulldoo, Reay, lodged a statement regarding a district upon the property of Sir Robert C. Sinclair, Bart. of Murkle, etc., occupied by twenty-seven crofters. There were other statements lodged by the delegate which have not appeared in print so far as I know, and my remarks must therefore be confined to the statement about the Bulldoo and Achreemie crofters.

I have had the management of Sir Robert's estates in Caithness for the last twenty-four years, and during that period very extensive agricultural improvements have been executed by the proprietor, mainly in conjunction with the tenants under specified agreements.

Without going into details, there has been expended by the proprietor the following sums upon the specified works, and it may be said the expenditure has proved judicious and remunerative:—

Buildings,	£14,888 19 8
Drainage,	15,933 10 3
Interior Fences,	2,414 12 2
Ring Fences,	1,519 19 3
Farm Roads,	434 10 4
Farm March Fences,	648 2 5
Property do.	496 16 9
Service Roads,	646 7 10
Flag Quarries,	11,822 14 2
Miscellaneous,	3,174 0 11

£51,979 13 9

The delegate admits there were no evictions made in connection with the improvements. This is so far satisfactory, and I shall say nothing whatever about the estates before Whitsunday 1859, the period at which the improvements were begun.

The delegate complains of the crofts being too small, and of their being surrounded by large farms.

If the crofters are not to be transformed into small farmers, but are still to retain what has hitherto been regarded as the character of crofters, the quantity of land occupied by them should not, I think, be a matter of complaint. Of course there can be no objection to the cherished ambition of wishing to rise from the condition of a crofter to that of a small farmer. But I am dealing with those who were found crofters in 1859, and who at that time were unable to take more land than they then occupied. It is with some satisfaction that I admit the fact of their being surrounded by large arable farms. Under all the circumstances they could

XII.

Wm. R. Tait,
Esq., C.E.,
Factor for
Muckle.

not be better or more advantageously situated. There are five large farms surrounding the crofts, paying the undernoted rents—£593, £615, £578, £319, £305. These five arable farms should supply a fair amount of work to the crofters and their families, and that too within easy distance of their homes. I hardly think there is one of the seven-and-twenty crofters who entertains the fear that any one of his big surrounding neighbours will either encroach upon or covet his croft. The crofters were offered leases some few years ago, and some took them, and some declined. The big farmers, however, do not appear to be equally secure in their possessions, for, in spite of the tenth commandment, the delegate gives a longing look at the “rich lands in their possession, at lower rents than paid by the crofters,” and, in reply to a question, says, “some of the crofters” (I hope the majority of them) “would be able to stock a fair proportion of these rich lands, if they were divided amongst them.” One may be pardoned for regarding this frank admission of ability to stock a proportion of the rich lands of the large farmers as evidence of the possession of no small amount of means by the crofters in spite of all their grievances.

The delegate complains again that their crofts are *too dear*, and that the proprietor has *done very little for them*.

According to the delegate himself, the crofters occupy about 471 acres at a rent of about £221, being at the rate of nine shillings and fourpence per acre. The bulk of the waste land consists of a moss lying alongside the crofts, and as the peat disappears for fuel the ground is then easily improved and makes fair land. The delegate has suggested division of the large farms. Now suppose the crofters themselves set the example (and example is better than precept), and divide their land equally amongst themselves. What would be the result? This, that each crofter would have 17 acres of land, with house accommodation for himself and his stock at a yearly rent of about £8. Now to put the most moderate value upon the *home with its privileges*, which the crofts afford, say £4, the rent of the 17 acres of *land* cannot be said to be too high.

Let us now look at the complaint about the *proprietor having done but little for them*. Well, as I have said, the proprietor surrounded the crofters by large farmers with capital at a time when they were themselves quite unable to occupy profitably more land than they then possessed, and on these surrounding farms and others in the near neighbourhood he has expended a sum of £35,985, 10s. 3d., which gave the crofters and many others what was felt to be much needed—a large amount of employment at fair wages. This was something, I think, which the delegate should have acknowledged. Further, the proprietor has expended upon the said crofts and in connection with them, the sum of £505, and for which practically no interest has been charged. On two sides of their ground, which roughly forms a triangle, the large farms have been fenced out from the crofts, and the crofters performed no part of this work—extending to about a mile and a half. To enable the crofters to drain the moss as it became ready for improvement, an outfall at a heavy expense was made without charge to them. Surely, these are some things and not very small things which the proprietor has done for these crofters, and still they are not contented. With a delegate so able and skilful as Mr. Donald Mackay at their disposal, I am not surprised to see grievances stated and claims made of which I never heard a word until I read his statement lodged with the Commission.

I am far from saying the crofters are as comfortable in the way of house

accommodation as their proprietor would like to see them ; but, considering what he has already done for the property as a whole during the last four-and-twenty years, I think he has given the best evidence of his earnest desire to fulfil his duties as a landlord, and has shown his recognition of the principle that landlords have duties to perform as well as privileges to enjoy.

LXII.

Wm. R. Tait,
Esq., C.E.,
Factor for
Murkle.

If the twenty-seven crofters represented by Mr. Donald Mackay had been all equally successful with himself in their exertions and industry, the Bulldoo and Achreamie crofters would have been at this moment, I venture to say, the model crofters of the county of Caithness. Why they have not been so successful, is not for me here to explain.

W. R. TAIT.

LXIII.

LXIII.

STATEMENT by General Sir ARNOLD B. KEMBALL, K.C.B., K.C.S.I.,
Commissioner for His Grace the Duke of Sutherland, K.G.

General Sir
Arnold Kem-
ball, K.C.B.,
&c., Commis-
sioner for the
Duke of
Sutherland.

STAFFORD HOUSE, LONDON,
18th May 1883.

The Duke of Sutherland infers from the tenor of your letters, asking for statistical information respecting the crofters and cottars on the west coast of Sutherland, that the Royal Commission propose to confine their operations to that quarter.

His Grace while hailing their advent there with much satisfaction, desires me to submit for their consideration, that their investigation would probably be incomplete if not extended to the east coast, where the condition of the small tenants is sufficiently prosperous to exclude them from the distress which has elsewhere overtaken the fishermen, and crofters, and cottars, owing, almost exclusively, to the effects of storms and bad weather, or to causes beyond their control, and beyond the control of the proprietor.

In addition to the returns called for by the Commissioners, which shall be forwarded with all possible despatch. I take the liberty to enclose herewith statistical returns, carefully collated, which may serve meantime to elucidate the points deserving attention. You will observe that, while on the east coast, out of an aggregate of 1216 tenants, there are (excluding cottars) 809 holding crofts which do not exceed £4 of rent in the Tongue district, out of an aggregate of 722 tenants there are 532; and in the Scourie district, out of an aggregate of 578, there are 314 of the same denomination.

I subjoin a statement (A) of the average rent per acre of arable land occupied by these people, in the respective parishes of the Dunrobin district. This average is necessarily confined to that district, as time does not admit of my procuring similar distinctive returns for the districts of Tongue and Scourie. This is, however, of the less importance, that the same average will, I believe, be found to apply to all, and will at least admit of correction when the returns called for by the Commissioners have been duly rendered.

For facility of reference, I subjoin statement (B) of the acreage of the pastures allotted to the small tenants in the several parishes. Here, their averages vary very considerably, some of the townships on the east coast having comparatively no hill grazings, a (defect which is being gradually remedied as opportunity offers), but, taken as they stand, it will be seen that the average for Dunrobin is 15 acres per holding, while that for Tongue is 63 acres, and for Scourie 133 acres.

This disparity apart, the terms being very generally the same under which the crofters occupy their lots on the east and west coasts of Sutherland, the contrast in their condition respectively at the present crisis, is to be accounted for by the fact that on the one side more generally than the other, crofters combine tillage with a seafaring life, limited to the herring fishing, of which the proceeds are always precarious, and rely therefore less exclusively on their proper craft for a livelihood.

At Brora, and more especially at Embo, the fisher population are without crofts, and confining themselves as they do to their trade, are not affected by the bad seasons and other causes, which bring distress to the small crofters.

This contrast, however, is also in no small degree due to the superior advantages enjoyed by the east coast fishermen in the means afforded them of transit to southern markets, as well by the railway as by their proximity to the ports of Aberdeen, Banff, &c., &c. Again the available arable land on the west coast being generally inferior in quality, and the climate perhaps more adverse to agriculture, the industry of the people seems to be prejudicially affected thereby, to the way of indisposing them to improvements, and of exposing them to distress from causes which are less severely felt by their equals on the east coast, whose crofts are little or no larger, and whose grazings are infinitely less.

Some weight may be given to the fact that there is a larger expenditure by the proprietor and his large tenants on the east coast than on the west, also that very large sums of money have in recent years been disbursed for railways and reclamations on the east coast; though, in this last respect, in all that concerns the supply of labour, the people of the west coast are believed to have been benefitted to an equal degree.

A. B. KEMBALL.

P.S. (2)—It must be understood that the rent of which the average is given annexed at 8/9 per acre of arable land includes the hill pasture for which no separate rent is charged. The same remark applies to all the districts.

APPENDIX A.

STATEMENT of CROFTERS in the DUNROBIN DISTRICT,
paying rent up to £4 per year.

No. of Crofters.	Parish.	Arable Acres.	Total Rent.	Average rent per acre.
208	Clyne, . . .	953 $\frac{1}{2}$	£401 19 9	£0 8 5
7	Creich, . . .	40	22 19 9	0 11 6
153	Dornoch, . . .	829	311 15 2	0 7 6
25	Golspie, . . .	144	56 4 9	0 7 9
181	Kildonan, . . .	644	307 6 8	0 9 6
53	Laig, . . .	263 $\frac{1}{2}$	115 17 5	0 8 9
66	Loth, . . .	121 $\frac{1}{2}$	108 9 1	0 17 10
116	Rogart, . . .	654	267 11 7	0 8 2
809		3649 $\frac{1}{2}$	£1592 4 2	£0 8 9

APPENDIX B.

No. of Tenants.	District.	Hill Grazing.	
		Total acres.	Average acres.
1216	Dunrobin, . . .	18,640	15
722	Tongue, . . .	45,650	63
578	Scourie, . . .	65,350	113
2516		129,640	51

LXIII.

General Sir
Arnold Kemball, K.C.B.,
&c., Commissioner for the
Duke of
Sutherland.

LXIII.

General Sir
Arnold Kem-
ball, K.C.B.,
&c., Commis-
sioner for the
Duke of
Sutherland.

SUTHERLAND CROFTERS.

STATEMENT showing details of Evictions that have been carried out on the Sutherland Estate, from the accession of the present Duke in February 1861 to 31st December 1882, a total of 22 years.

No.	Year.	Name, Residence and Particulars.
1	1861	None.
	1862	William Murray, Balvraid, Dornoch. Large croft neglected. Rent 2 years in arrear. Offered a smaller lot which was not accepted.
2	1862	Widow William Bannerman, Gartymore, Kildonan. House in ruins. Offered a tiled house.
3	1862	William Mackay, Muie, Rogart. Nephew of late tenant. Croft required for a neighbouring crofter who had to be removed from the lot he previously held.
4	1863	Robert Macdonald, Astel, Dornoch. Took possession of a house on another person's lot, in right of his wife and children by a former husband.
5	1864	None.
	1865	David Davidson, Croich, Dornoch. House in ruins, land added to adjoining tenant.
6	1865	Lexy and Johan Campbell, Rhanmore, Lairg. Nieces of late tenant, considered unable to manage the croft. Offered a smaller croft, which they ultimately accepted.
7	1865	Gordon Matheson, Portgower, Loth. Rent 9 years in arrear.
8	1866	Hugh Murray, Linside, Creich. Succeeded on his brother's death to 2 lots, and refused to give up one to his brother's widow.
9	1867	None.
	1868	None.
	1869	None.
	1870	Widow Alexander Mackay, 83 Inchope, Rogart. Croft neglected, no stock. Would not give up the place to a son who promised to come and work the croft, and take care of his mother.
10	1870	John Mackay, 149 Little Rogart, Rogart. Rent 2 years in arrear. Croft neglected. Tenant recently imprisoned for stealing meal.
11	1871	None.
	1872	Widow Niel Lamont, Inverkirkaig, Assynt. Lived in a house next door to a tenant, with whom a feud arose and a fight. Another house was offered and declined. She was removed, and subsequently accepted the other house.
12	1873	None.
	1874	Henrietta Ross, Tomich, Lairg. Persisted in interfering with a road drain.
13	1874	Robert Mackenzie, Balvolich, Durness. Commenced to erect a bothy on his father's lot, in which he persisted.
14	1875	None.
	1876	John Melville Doll, Clyne. Occupied part of the house belonging to a crofter, having been allowed to squat there by a previous tenant, he was a most disagreeable neighbour.
15	1877	Colin Mackenzie, Clashnessie, Assynt. Occupied a house on the common pasture. He was a notorious swindler.
16	1878	Murdo Macrae, Culkein Drumbeg, Assynt. Took violent possession of a house which was previously occupied by his brother. It was an old Schoolmaster's house, and on the brother's vacation of it had been given to the tenant of adjoining lot, who had a very bad house.
17	1879	None.
	1880	None.
	1881	None.
	1882	Andrew Mackenzie, Muie, Rogart. The second of four sons of widow Donald Mackenzie, the tenant of the croft. For some time this son and another unmarried son, who also lived on the croft, have not agreed, and Andrew has behaved unkindly towards his mother; so much so, that she determined to leave the croft, and live with another married son. It was explained distinctly to mother and son, that, if their disagreements ended in her giving up the croft, neither of the sons would be allowed to succeed. The mother ultimately left the croft, and Andrew was removed.

SUTHERLAND CROFTERS' SUPPLEMENTARY STATISTICAL I
(FOR HIS GRACE THE DUKE OF ARGYLL, K.T.)

Districts.	Parishes.	Crofters' Rents.	Parochial Rates (Poor and Education) paid by The Duke of Sutherland.	Difference between Rents and Rates.		Number of Women holding Crofts.		
				Excess.	Deficiency.	Widows.	Spinsters.	
DUNROBIN.	Clyne,	£461	£426	£35	..	63	30	Proprietor's per cent. Crofters und rates. In the 22 y Sutherland Crofters; removed Squatters rent—1 r
	Craich,	59	123	..	£70	2	1	
	Dornoch,	844	419	425	..	42	24	
	Golspie,	199	167	32	..	14	9	
	Kildonan,	378	308	70	..	44	31	
	Lairg,	471	183	288	..	19	14	
	Loth,	115	87	28	..	14	8	
	Rogart,	900	248	652	..	42	19	
		£3427	£1967	£1530 70	£70	240	136	
				£1460				
TONGUE.	Farr,	£873	£618	£255	..	55	4	Of the 507 w the holdi
	Reay,	640	137	403	..	32	4	
	Tongue,	910	392	518	..	43	2	
			£2123	£1147	£976	..	130		10
SCOURIE.	Assynt,	£1064	£635	£429	..	25	4	During the 2 gratis to their hou value of per year.
	Durness,	257	200	..	£3	20	4	
	Edrachilles,	717	290	427	..	83	11	
			£2038	£1185	£856 3	£3	137		19
				£853				
ABSTRACT.								
DUNROBIN,		£3427	£1967	£1460	..	240	136	Besides this, ing the h
TONGUE,		2123	1147	976	..	130	10	
SCOURIE,		2038	1185	853	..	137	19	
		£7588	£4299	£3289	..	507	165	

LXIV.

LXIV. STATEMENT by JOHN CRAWFORD, Esq., Factor for His Grace the Duke of Sutherland, K.G., in the Tongue District.

John Crawford,
Esq., Factor
for the Duke of
Sutherland.

(See Evidence, pp. 1594 and 1630 et seq.)

HOUSE OF TONGUE, 3d September 1883.

John Crawford, aged 71. I have been factor for the Duke of Sutherland in the Tongue district since Whitsunday 1859. The district extends from the March of Caithness on the east to Loch Eriboll on the west, and from the sea on the north to Benbrinin on the south. The population of the district under my care is, by last census, 3900 souls. Rental shown by the Valuation Roll of the county is £17,959.

For the convenience of the Commissioners, and in the interests of the inquiry, I propose to deal categorically with the statements of witnesses at Bettyhill on 24th and 25th July last, so far as they relate to the property under my factorship.

Evidence,
Q. 25256 et seq.

I. The Rev. James Cumming, witness, made statements as to what he was pleased to call oppression and misrule on the part of the factor, and illustrated these acts by references to—

Evidence,
Q. 25259 and
25280.

1. *Fines.*

Enclosure
No. 1 and No.
1A.

I herewith submit copy of Estate Regulations in force before the Reay property was purchased by the Duke of Sutherland. These have been continued with considerably less stringency until now. Being sixty miles from a law court if order is to be maintained amongst a crofter population, the landlord must establish suitable rules to enforce it other than by formal process of law. Small fines of 2s. 6d. or 5s. are inflicted for repeated transgressions by cutting peat on green ground, for improper peat cutting or for subdivision of the lots, and taking in permanent lodgers.

2. *Harsh Treatment on the part of Officials*, of which the following are instances :—

Evidence,
Q. 25259.
Enclosure
No. 2.

(1.) As to Thomas Morrison and Angus Rankin in a case of removal.

Rankin was tenant of a lot of land at 1s. per annum of rent. He was an old man living alone. About 1865 he applied for and obtained permission to take in Thomas Morrison as a lodger, whose wife was to keep house and attend to Rankin. This arrangement continued until 1878 when Rankin's condition, from Morrison's neglect, was found to be lamentable, and the old man was placed under the charge of the inspector of poor, who had him attended to until his death. By estate rule it is inconsistent for a man to be both a tenant and a pauper. Rankin and his lodger were therefore asked to grant a voluntary renunciation of the place that a new tenant might be selected. By advice they declined—mentioning Mr Cumming as their adviser—and formal steps were taken to obtain possession. On the term day the key of the house was asked and refused. Ejection was about to be enforced when Morrison, for the first time, intimated his wish to take the lot. I stopped proceedings, and told Morrison the terms on which I was prepared to recommend him as tenant, viz., on his paying the expense of legal proceedings, amounting to £4. That the old rent of 1s. would be the rent for crop or downlay 1878, and that the new valuation of Messrs M'Donald & M'Kenzie of £3, 7s. would be his future rent for crop 1879, and thereafter during the Duke's pleasure. He agreed to these terms at once,

and has continued in possession, paying from and after 1879 the rent of £3, 7s. as mentioned.

LXIV.

(2.) The case of George M'Kay (More), Talmine.

John Crawford,
Esq., Factor
for the Duke of
Sutherland.

This man also occupied a lot for over forty years at 1s. per annum of rent. He applied for permission to take in a relative as joint-tenant and successor. Consent to this arrangement was given on the condition that the new valuation of the croft, £3, 1s. 6d. per annum, should be paid from and after the term of Whitsunday 1878, when the joint-tenancy began. He and his relative had free option to accept or reject this proposal. They voluntarily accepted the joint-tenancy on the terms mentioned, and paid the rent accordingly until 1882.

Evidence,
Q. 25259.

In consequence of one of George's sons being drowned in Talmine Bay, and another who went abroad not being heard of for some years, by which the old man was left without help other than by his late son's widow, the Duke of Sutherland has reconsidered this case, and has reduced the rent to a nominal sum of 10s. per annum, on condition no other party is admitted to an interest in the lot other than his son's widow.

(3.) Case of Hugh Munro, Talmine.

Evidence,
Q. 25259.

This man occupied for a similar period at 4s. 10d. per annum, and having made a similar request for the admission of a friend, he got a similar reply. He and his friend William Munro agreed to pay the new valuation, £2, 18s., as from Whitsunday 1877; and they have since regularly paid it without complaint.

In each of these three cases above mentioned, according to the practice of the estate, no change in the rent would have been made so long as there was no change in the tenancy, and so long as the sitting tenant chose to continue in possession by himself.

3. *Improvement of Houses and Lots which Mr Cumming confines to the last few months, and were instigated, as he alleges, by the appointment of the Royal Commission.*

Evidence,
Q. 25273.

I have to state that in 1862 I applied for and obtained a grant of £150 for purchasing lime and timber by way of assisting the crofters in building division walls between their families and their cattle. The only condition required of the tenant in order to share in this grant was that he should supply the necessary labour; and in cases where slates were used for new roofing of cottages, they were supplied by the landlord at cost price, and the tenant was allowed three or more years, according to his circumstances, for their repayment. These grants, and the conditions on which they could be shared in, are well known since 1862 to the tenantry in this district.

This allowance of £150 was annually continued by the Duke, but for ten years the grants of lime and timber were only very partially taken advantage of by the tenants. In 1873 the allowance was slightly exceeded, but for the next five years the full amount was not applied for by the tenants. From 1879 to 1882 inclusive, very considerable progress was made in improving existing dwelling-houses and in erecting new ones of a superior character, and, by way of encouraging this movement, the Duke, with his usual consideration for the comfort of his people, more than doubled the annual allowance. For dwelling-houses of the better class the crofters were allowed from 30 to 50 bolls of lime, timber for roofing, flooring for parlour, closet, and attics, partition and door standards, and glass for windows; slate at cost price on three or more years' credit. State showing annual allowance and grants applied for from 1862 to 1882 is herewith submitted.

See Enclosure
No. 3

4. *Improvement of Lots.*

Improvements, as a rule, are very imperfectly executed by the crofters, especially drainage. I prefer that improvements be done by the landlord,

LXIV.

John Crawford,
Esq., Factor
for the Duke of
Sutherland.

because they are better done. A crofter rarely possesses sufficient capital, or the practical experience requisite, for carrying on such works with expedition or benefit to himself. When the landlord improves, the tenant, as a rule in this district, executes the work either by contract or on day's pay, and he has a special interest in having it well and cheaply done. While maintaining his family by his daily earnings, he at the same time secures the foundation for future profit as well as comfort.

Evidence,
Q. 25259.

5. Mr Cumming refers to the persecution of people on the estate for poaching. I do not remember more than four, or at most five cases, during the whole twenty-four years of my factory here. Two of these were of trivial character, and were dismissed with an admonition. Two were of more serious character—one being combined with a charge of theft—and these more serious cases were prosecuted by the procurator-fiscal, and resulted in conviction and sentence. One of these cases was referred to by William M'Kenzie, delegate from Strathhalladale.

Evidence,
Q. 25458 and
25495.

Mr Cumming complains that I am eyes and ears, hands and feet, to the Duke of Sutherland. I have to thank him for this no doubt unintentional compliment, for I always consider it my duty so to act for His Grace in his absence.

Evidence,
Q. 25400 *et seq.*

The next witness examined was William M'Kenzie, Trantlemore, Strathalladale. This witness did not by any means represent the majority of the crofters in the Strath, nor even a respectable minority of them. He gave a very inaccurate report of the hill-grazings in connection with the Strath lots. The grazing is fairly good, some of it very superior, and on an average quite equal to the general grazing on that side of the country. The average extent is estimated at about 90 acres per croft. The people of this Strath are considered on the whole about as comfortable and independent as any in the county. There are, no doubt, poor people amongst them, as there always will be in every community, but this does not arise from any peculiarity in the management.

Evidence,
Q. 25513 *et seq.*

Adam Gunn, delegate from Strathy, complains of smallness of lots and high rents. The Strathy-point and Totegun lots average $7\frac{1}{2}$ acres arable and pasture, besides hill-grazings. There are thirty tenants, occupying a cumulative rent of £73, 5s. 3d.—average per tenant, £2, 0s. 10d. New valuation of this township is £97, 10s. 6d.

Last year the Duke made a township road of two miles in length for this place at a cost of £184, by which the crofters will be much benefited; and this year His Grace has made another road to the township of Brawl, over a mile in length, at a cost of £160, which will also be of great service to the tenants of that place, while at the same time it has—in connection with other works of reclamation of land going on in the district—provided labour during a season of local pressure. These reclamation works consist of draining and trenching waste land for the crofters, to some without interest during first five years, and to others at $2\frac{1}{2}$ and 3 per cent. on outlay, according to the quality of the land and expense of reclamation. The following are the present rents charged in the townships said to be represented by this witness, and the new valuations by Messrs M'Donald & Mackenzie, from which the Commissioners can draw their own conclusion, viz. :—

Strathy, .	Present rent, £98	4	8	New valuation, £134	11	6
Balligall,	"	23	9	"	38	15
Brawl, .	"	19	4	"	26	10
Altiphuerst,	"	18	6	"	16	11
Laidnagullin,	"	18	12	"	29	6

Other townships are on a similar scale.

John M'Kay, Melvich, delegate for Melvich and Portsherray district.

This person's evidence is grossly inaccurate and misleading. I will refer to his own case first.

He obtained his present lot in 1873. See letter of 4th August 1873, and minute of agreement of 8th August and acceptance of same date. John M'Kay by these missives got 20 acres of arable land, with hill pasture in addition, for the annual rent of £10 sterling (valued at £14, 3s. 6d). He was bound to erect a dwelling-house and offices, with right to the usual building privileges. He had also by these missives the option to improve and take in 9 acres adjoining his lot, at a nominal rent of 2s. 6d. per acre. He has been in possession for ten years since his entry in 1873. During this period he built office houses but not a dwelling-house, and he lives in what is properly the barn. During the same period he has not improved any part of the land put at his disposal; while, on the contrary, I have more than once spoken to him on the subject of improvement, and offered to improve for him on the terms that he should pay a small interest on the outlay. These offers on my part he always declined, stating that he already had as much land on hand as he had means to manage. The land by the river side to which he refers is not suitable for tillage, inasmuch as it is subject to being from time to time flooded.

It is singular, and worthy of observation, that if the crops in Melvich district are so poor and high rented as this witness describes them, how the valuers could have considered them of so much more value than the tenants presently pay for them. The following example may suffice:—The township of Melvich presently pays £95, 6s. 1d. The new valuation amounts to £175, 2s. 3d. Portsherray presently pays £112, 14s. 4d., while the new valuation amounts to £155, 2s. 6d.

Hector Munro, delegate from Scullomie. His statements are quite inaccurate. The township contains $57\frac{3}{4}$ acres of fairly good land. The cumulative rent of the township in 1859, including hill-grazing, was £61, 7s. 7d. In 1882 it was £57, 15s. 4d., including hill-grazing. The new valuation is £60, 15s. In 1878 a waterspout did some damage to the banks of a small burn he refers to. The Duke spent a small sum in executing repairs, and an offer was made by me last year to cut a new channel, so as to direct the stream another way, on condition the two tenants interested would pay interest on the expense. The amount would probably not have exceeded 3s. each. This offer was refused.

The Rev. John Ross M'Neill, delegate, Strath tongue. Mr M'Neill came recently to the parish of Tongue, and an entire stranger to it. He has hardly had time to know much of the people, and his knowledge of the working arrangements between landlord and tenant must be very slender indeed. Finally, it is not too much to say that his evidence is obviously founded on mere hearsay, which has not been by any means carefully sifted. It is not true that the Coldbacky rents have been doubled, or even to any extent increased. On the whole, they have been reduced, at my solicitation, within the last twenty years. The current rent of Coldbacky is £40, 18s. 2d. The new valuation is £44, 11s. The township of Rhitongue is presently rented at £29, 15s. 11d. The new valuation is £35, 8s. The township of Braetongue is rented at £57, 14s. 10d. The new valuation is £95, 9s. 10d. In every instance the new valuation is higher than the actual rents charged.

This witness refers to a new activity he has observed in the building of houses within the last six months. There has been nothing special in this way to my knowledge. The improvement of dwelling-houses has been going on since 1862, but with more activity within the last five years, as my separate statement of expenditure will show. See No. 3 Enclosure.

LXIV.

John Crawford,
Esq., Factor
for the Duke of
Sutherland.
Evidence,
Q. 25619 *et seq.*
Enclosure
Nos. 4 and 5.

Evidence,
Q. 25705 *et seq.*

Evidence,
Q. 25736 *et seq.*

Enclosure
No. 3.

LXIV.

John Crawford,
Esq., Factor
for the Duke of
Sutherland.
Evidence,
Q. 25812 *et seq.*

Peter M'Kay, builder, Strath tongue, delegate, complains of losing employment, of high rents, and oppression by the factor.

On my appointment in 1859 I gave all the old contractors the first chance of work, and afterwards retained the services of those whom I found most reliable. I wished to impress on the contractors that their real interest, as well as the Duke's, lay in the honest discharge of their duty. That people who did inferior work, and charged exorbitant rates, would not be employed by me as contractors.

Mr M'Kay's croft consists of over 13 acres arable and over 5 acres pasture. Rent £5, 5s. 4d. as stated by him. He, however, omitted to mention in his evidence that he has a relative living on the lot with him, whose stock of sheep is probably equal to his own. I am not aware of ever having interfered between this man and the Duke. I have no knowledge of the Duke's desire to remit his rent for the remainder of his life. The new valuation of this lot is £12. The other townships referred to by this witness are Blandy, rented at £16, 6s. 10d., and valued at £20, 5s.; Strath tongue, present rental £23, 19s. 10d., new valuation £31, 8d.

Angus M'Kay, Cattlefield, crofter's son, delegate for three townships of Farr. His complaint is as to the smallness of lots, high rents, and acts of oppression on part of officials. The present rental of the townships said to be represented by this delegate are all under the new valuation. The land is of fair quality.

I deny *in toto* the alleged cases of hardship mentioned by this witness.

1. As to the erection of a store on the late Angus Gordon's croft.—It became necessary for the convenience of landing lime, timber, &c. in the Naver River, for both large and small tenantry improvements going on, to erect a storehouse on the beach. This was done in a creek just above high-water mark, and opposite the late Angus Gordon's lot. A cart track was made, sloping down a steep bank, mostly outside the arable land, for access to this storehouse, and to which the tenant consented. The track admits of the crofters carting sea-ware from the river in place of carrying it in creels on womens' backs as formerly. The actual quantity of arable land taken up by road is not more than 18 square yards. The Duke has no interest in the storehouse beyond the convenience it affords to the improving tenants of the district for storing lime, timber, &c., allowed by the landlord for their new houses when unable to cart these materials direct from the ship.

2. *Cases of oppression and unjust treatment to two old women.*—Previous to 1862, John M'Kay, a crofter in Airdneiskich, deserted his lot—leaving two old sisters upon it. One was in delicate health. They were quite unable to do anything with land, and voluntarily agreed to remove after the crop of 1862 was reaped. I gave them a house elsewhere. They were afterwards placed on the roll of paupers and supported by the parish. From whatever source this young man may have got his information—for the event he refers to so pathetically took place about the time he was born—there is not one word of truth in it. There was no written renunciation ever asked or obtained from these old women, neither was there the slightest act of compulsion exercised, far less deception, as he alleges. The transfer from one place to the other was strictly voluntary and beneficial to the parties concerned. The land thus vacated, with other land thereafter voluntarily given up, was partly divided amongst the tenants of the township, and a new arrangement of marches made, which has very much added to the harmony of the place for the last twenty years.

Rev. Donald M'Kenzie, Free Church Minister, Farr, delgate, complained of oppression by officials, and undue interference at School Board and Parochial

Board elections. I emphatically deny every statement this witness makes relative to oppression or undue influence at School or Parochial Board elections. I never interfere with people going to the Duke about their matters. It is well known that I rather encourage this course. The Duke is as easy of access to the poorest tenant on his estate as he is to me. His Grace entertains a parental regard for the well-being of all his people, and would not tolerate any antagonistic feeling or action on the part of his officials. As regard His Grace's enterprise for the benefit of his estate, I have only to point out the fact that there has been spent in my district alone within the last thirty years the sum of £140,826 in permanent improvements. This sum has been disbursed to the extent of about two thirds in the form of wages amongst the resident population during the last twenty-one years.

LXIV.

John Crawford
Esq., Factor
for the Duke of
Sutherland.

See Enclosure
No. 6.

I have never solicited, directly or indirectly, a single vote at a School Board election, but I have notwithstanding always been placed at the head of the poll by the free will of the electors. The memo. I beg to submit to the Commissioners will show the amount of work I have undertaken for the Board. My services have been given gratuitously from first to last, and, except by Mr M'Kenzie, have been gratefully acknowledged.

Enclosure
No. 7.

Hew Morrison, schoolmaster, Brechin, delegate for Torresdale district.

Mr Morrison's statistics are rather at fault. There are, as he states, eighty tenants in the district referred to, occupying 316 acres of arable land (in place of 246 acres as stated) at a cumulative rent of £264, 14s. 6d., equal to 16s. 9d. per acre (not £1, 2s.), but with hill-grazing only 8½d. per acre over all. New valuation of the township embraced £304, 13s., being £40 per annum more than the rent exacted.

Ewen Robertson, delegate for Tongue and Invernaver, refers to cases of oppression.

Incherry case.—In 1861 George M'Intosh went abroad and left his sister on the lot without help, and unable to manage the land—upwards of 10 acres in extent. The lot was divided—the sister retaining 3½ acres, with out-grazing, at £2 per annum of rent (new valuation £4, 13s.). The remainder was let to John Munro at £6 per annum (new valuation £6, 14s.). This arrangement was willingly accepted, and the rent has been regularly paid to this day.

Braetongue case.—Widow George M'Kenzie had two sons and a son-in-law living with her. They went to Canada last year. Neither of them ever applied to me for the lot. The widow came to me about the middle of February last and asked me to take the lot off her hand as she could not manage it. I did so, and same day re-let the place to a neighbour, reserving a parlour and two bedrooms for the widow's use.

Invernaver case.—Some time ago the tenant of Invernaver applied for a section of Achnabourin Farm adjoining their township. This could not have been granted without sacrificing the farm house and offices pertaining to the farm, as they were situated on the section of ground asked for. An additional inquiry would have arisen from cutting off a portion of upland grazing ground, of which there is already too little for the benefit of the stock. If these tenants had asked the whole farm, and agreed to manage it as a joint-stock concern, I believe the Duke of Sutherland would have favourably considered such an application, providing they could have given satisfactory evidence of their ability to stock the farm and pay a reasonable rent for it. This probably would have been too heavy an undertaking for them; besides, there is reason to believe that their ideas of managing a club farm were very far from being matured.

In an Appendix to the foregoing statement will be found the various docu-

LXIV.

John Crawford,
Esq., Factor
for the Duke of
Sutherland.
Enclosure
No. 8.

ments alluded to in it, and others relating to general statistics of estate matters bearing on the question at issue, which will, I trust, afford the Commissioners the material for forming an accurate opinion as to this district management. The Commissioners will find from these documents that the Duke of Sutherland has expended between 1861 and 1882 in the permanent improvement of the estate in this district about £133,000, and that the increased rental is only about £1757 per annum, or equal to about 1½ per cent. The chief benefit of this large outlay has accrued to the local tradesmen and labouring population as already stated.

From my personal observation and knowledge I can confidently affirm that the condition of the crofters has greatly improved and is improving. They are better clad and better housed; and I am certain they are in all respects in a better condition than they were thirty years ago.

I may add, in conclusion, that since the inquiry at Bettyhill, I have received many verbal and written communications from crofters, denying that the delegates who appeared there correctly expressed the true views of the population, and I am satisfied from my own experience, gained from personal communication with the tenants during these many years, that they are, as a body, as happy and contented as any in Scotland.

Finally, I have to express my sincere thanks to Lord Napier and the other Commissioners for granting me the privilege of making this statement, after reading the publication of the evidence, as my infirmity of deafness prevented me from hearing the statements tendered by the delegates at the meeting of the Commission, and of giving rebutting evidence on the spot, as I should otherwise have done.

JOHN CRAWFORD, Factor.

ENCLOSURE.

- | | | |
|-----------|--------|---|
| Page 1, | No. 1. | Copy regulations for the estate of Reay referable to the small tenantry and others possessing at will, 15th May 1826. |
| " 1, | " 1a. | Copy memo. of meliorations allowed for small tenantry houses, 31st December 1831. |
| " 2, | " 2. | Copy correspondence with Inspector of Poor, Tongue, relative to case of Angus Rankin, Talmine. |
| " 6 & 12, | " 3. | Memo. of annual allowance given for improvement of small tenantry houses from 1862 to 1882 inclusive. |
| " 10, | " 4. | Copy letter-offer of Melvich Park to John M'Kay, 4th August 1873. |
| " 10, | " 5. | Copy agreement with John M'Kay for Melvich Park, and letter of acceptance, 8th August 1873. |
| " 16, | " 6. | Memo. of expenditure on works of utility from 1853 to 1882 inclusive. |
| " 16, | " 7. | Memo. of statement circulated amongst electors relative to erection of schools in Farr. |
| " 16, | " 8. | Memo. of expenditure in draining, trenching, and fencing small tenantry lots. Outgoing meliorations paid from 1853 to 1882; also arrears of rents remitted. |
| " 16, | " 9. | General memoranda of details of interest in the management of Tongue estate. |

JOHN CRAWFORD, Factor.

3rd Sept. 1883.

REGULATIONS for the Estate of REAY, as referable to the Small Tenantry and Others Possessing at Will.

LXIV.
Regulations
for the
Reay Estate.

I. Tenure of Small-Tenantry Holdings.

1. It shall be at will, and the term of entry to any holding is understood to be at Whitsunday as to the houses and grass, and to the arable land at the separation of that year's crop.

2. That the rent shall be forerented; that is, that at the first term of Martinmas after entry, and so forth yearly, the year's rent from the Whitsunday previous to the Whitsunday following shall be payable, with every other burden effeiring to that rent, of schoolmaster's salary, statute labour assessments, &c., as provided for by law.

3. That the straw of the waygoing crop shall be left in steel-bow for the benefit of the landlord or incoming tenant.

4. That it shall be optional in the proprietor to take the benefit of any tenant's manure, and downlay of waygoing crop, on paying half-rent, unless when value or rent of such holding is constituted more than usual from the extent of grazing, in which case an abatement for same shall be made from the said half-rent.

5. That it shall be optional in the proprietor to take waygoing tenant's dwelling and other houses at the valuation of such sworn appraisers or others in the place as are accustomed to such matters, such appraisalment to extend over moss, fir, and foreign timber only; and, where the proprietor declines taking the same, the tenant shall be at liberty to dispose of them, for his own benefit, taking care, however, not to demolish or injure the walls or other wood in said houses, which at all times are considered *bona fide* the landlord's own property, unless otherwise provided for in writing.

6. That every tenant shall be bound to perform gratis the usual services in repairs to manse, manse offices, school and schoolmaster's houses, mills, smithies, and kelp houses, when and in such manner as may be appointed by the proprietor or his officers. These services are all abolished long ago.

7. That every tenant shall manufacture such a quantity of kelp as may be allotted him on the shores of the estate when, where, and according to such rate per ton, and other regulations, as from time to time may be adopted. No kelp made now.

II. Cattle Herdings.

1. That in every township the factor for the time being shall have power annually, or oftener if he sees proper, to appoint one, two, or more persons for taking charge and giving directions for the proper herdings of the township's stocks; for attending to the repair of the town dykes; for settling all petty disputes amongst neighbours; and, in short, for settling every little matter tending to the peace and welfare of the community, and whose orders or award must be considered final by the parties until after performance, when it may be competent to appeal therefrom either to the ground-officer or factor.

2. Such person or persons so appointed shall have full power over the herding of the towns' stocks, and shall engage a shepherd or shepherds for that purpose, and shall assess the different parties concerned, in proportion to their respective stocks, for defraying the expense of such shepherds, and the same to be levied annually before the term of Martinmas, and the wages paid.

LXIV.

Regulations
for the
Reay Estate.

III. *Erection of Houses.*

No tenant shall erect, or permit others to erect, any dwelling-house or other house upon his holding without leave being first asked and obtained from the ground-officer of the district, or factor.

IV. *Quantity of Stock.*

1. No tenant shall be permitted to keep a greater quantity of stock than what may be considered by the ground-officer or factor as a fair rate for the holding.

2. That no tenant, on any account whatever, shall take in any summering or winter stock without leave first asked and given by the ground-officer or factor.

REGULATIONS FOR THE POPULATION IN GENERAL.

I. *Cutting of Peats and Turf.*

1. No turf for houses, or any other purposes, shall be cut unless when it may be ordered through application to the ground-officer, or through any depute or deputies he may appoint, such as the men appointed for regulating the cattle herdings.

2. The cutting of peats shall be under the control of the ground-officer, and on no account whatever shall any new moss be broke up without his special instructions, or of any depute or deputies he may appoint for that purpose, such as the men having charge of the cattle herdings; and the ground-officer or his deputies shall not permit irregularity in such cutting, and shall take care that the bottom of the moss is regularly and neatly covered with the turf taken off before the cutting is commenced, and such turf so placed as the peats are dug out, taking care at the same time that no water is allowed to stagnate thereon.

II. *Searching for Moss Fir.*

1. No wood shall be permitted to be taken up for sale.

2. None other than a tenant shall be permitted to search for or take up wood without the permission of the ground-officer.

3. Any person who does search for and take up wood shall at all times cover in the pit neatly and closely with swarded turf, and so as that no water will stagnate thereon.

III. *Woods.*

All woods, *young* and *old*, *natural* and *planted*, are considered sacred, and shall on no account be entered or touched on any pretence whatever, saving in the manner following:—

1. By an order (written) by the ground-officer or factor.

2. No order to be effectual unless on the first Wednesday of any one month.

3. No order to be effectual unless eight days' previous notice be given to the wood-keeper by the person holding such order.

4. No wood shall be cut on the day appointed, on any pretence whatever, unless in the presence of the keeper or one duly authorised by him.

5. It shall be optional in the keeper either to permit such order to be executed or otherwise as he shall deem fit.

6. The keeper shall have supreme command in the woods of which he has charge, and every party must be satisfied to accept of such quality or quantity of wood as he may permit.

7. At all times when wood is cut, the branches or refuse must be collected and disposed of as may be directed by the keeper.

This and the
following order
cancelled.
Office always
open for
business.

Cancelled.

8. Where no woodkeepers are established, it shall be competent to the ground-officer to accompany any party thither, and act in the capacity of keeper.

9. It shall be competent to the ground-officer, either in the season of kelp or in any other case of emergency, to grant wood at any other period of the month, but in all such cases he must accompany or meet the parties personally in the woods, and act in the capacity of keeper.

LXIV.

Regulations
for the
Reay Estate.
Cancelled—in
foregoing rule.

IV. Smuggling.

1. All smuggling, making of malt or whisky, or in any manner being connected with the infringement of the Excise laws, is strictly prohibited.

2. Every tenant or other householder shall be held as responsible for their household.

3. Every tenant or other householder who, either by himself or any of his household, are detected in such practices, shall forfeit all protection on the estate, and shall be removed therefrom as soon as possible.

4. Every miller making or permitting malt to be made in his mill, shall be held as acting art and part, and will incur the same penalty as mentioned in the foregoing article.

Restriction not
enforced—all
parties are held
responsible for
misconduct
under Excise
laws.

V. Sheep Stealers, Plunderers of Wrecks, Deer, Salmon, or Black-Fish Killers, and other Delinquencies.

All and every person who is detected in any practices coming under this clause, or in any other act not therein enumerated detrimental to society, will be severely punished, either as the law directs, or failing, in such other manner as may be thought advisable for the interest of the estate.

VI. Statute Labour Assessments.

Every tenant shall be responsible for every personal assessment on individuals, either in his own house or sheltered by him in his holding; and every householder otherwise shall be considered as responsible for his household.

Cancelled,
except so far
as relates to
payment of
road assess-
ment, of which
tenant pays
half.

VII. Drift Wood

Belongs to the proprietor, and shall not in any manner be interfered with unless for and on his account; and any person finding and saving the same, must without delay report to the ground-officer of the district, and such person or persons concerned therein shall be entitled to be paid salvage thereon according to use and wont.

Cancelled.
Now under
Board of Trade
regulations.

VIII. System of Fines.

In furtherance of the due performance of the above-written regulations, it is laid down as a rule that, in all cases of delinquency, it shall be competent to the factor to take cognizance of the same, and either exact fines on the party offending, or otherwise as he may deem proper,—such fines, however, not to exceed (in any case) 10s. or be less than 1s. sterling. And in respect that some have been in the habit of not turning out to kelp manufacture on the day appointed, and of deserting their posts whilst in the manufacture, and others of adulterating their kelp and otherwise destroying it, it shall be understood that the principle of fine shall in that department more especially be established, and the same deducted from the price of manufacture.

Fines now
restricted to
cases of divot-
cutting on im-
proper ground,
improper peat-
cutting, and
taking in
lodgers without
authority.
Cancelled.
Now under
Board of Trade
regulations.

LXIV.

Regulations
for the
Reay Estate.

IX. *Days of Business at Tongue House.*

Weekly ; on the Wednesdays, the office at Tongue will be open for business, and on no other days of the week, saving or excepting at the rent collections, or any case of emergency.

X. *Petitions.*

The factor shall at all times be ready to receive petitions, either directed to himself or proprietor.

XI. *Authorities and Powers of Officers.*

Every person or persons appointed under these regulations, on this and the six preceding pages, shall be understood to represent the proprietor or his factor, and disobedience thereto taken cognizance of accordingly ; and it is farther to be understood that all inferior officers, in their respective departments or duties, shall be under the control of the ground-officer, who shall hold superior authority immediately under the factor on the estate ; and it shall be competent to the said ground-officer to make such bye-laws and minor regulations affecting his duty from time to time as he may see fit.

No such power
now exists.

Duties of Ground-Officers on the Estate of Reay.

On reference to the preceding regulations of the tenantry and others, the officer's duty is defined : in respect that his charge will consist in seeing said regulations put in force, and in general attending to every interest of the landlord in his district ; to ensure which it will be his business to be constantly visiting the different parts of his district, and giving such orders as from time to time may be necessary.

No kelp made. { His Superintendence over the kelp manufacture in all its details will be a principal object ; and not less so to prevent and detect all thefts, smuggling, and wood-cutting, with other delinquencies ; and to put a stop to the three first will require the utmost attention and perseverance.

He will take care to have all repairs on kelp-houses and others duly and sufficiently executed before the term of Martinmas annually, and every other part of business performed in its proper season.

Integrity, impartiality, and the most upright conduct in performance of his various duties will be expected ; and,

Lastly, a monthly report will be required at Tongue on every matter connected with his office.

(Signed) JOHN HORSEBURGH.

TONGUE HOUSE, *May 15, 1826.*

Sutherland
Estates
(Tongue
Management).

THE SUTHERLAND ESTATES (Tongue Management). *Systems of
Melioration for Tenantry Cottages.*

31st December 1831.

To the tenant in the district of Assynt, Reay country, Farr, and Strath Halladale who, within one year from this date, builds a dwelling-house according to the plan and specifications signed as relative hereto by the factor, and in the hands of the respective ground-officers, and on a site approved of by the factor, wood will be furnished gratis by the proprietor for roofing ; and

The terms of melioration to be allowed for the same, in case of removal of the tenant at the instance of the proprietor, are as follows, viz. :—

1. Full melioration, saving on furnishings by the proprietor, if such removal takes place within seven years from Whitsunday 1833.
2. Two-thirds if within fourteen years from Whitsunday 1833.
3. One-third if within nineteen years from Whitsunday 1833; and, Lastly, exceeding nineteen years from said period, all claim of melioration to cease.

LXIV.
Sutherland
Estates
(Tongue
Management)

COPY CORRESPONDENCE with Inspector of Tongue relative to
Case of Angus Rankin, Talmine.

*Tongue School House,
Saturday, 2nd March 1878.*

DEAR SIR,—I herewith enclose you two letters which I received from Mr Cumming, Free Church minister, Melness, relative to the case of Angus Rankin, Talmine. I would have sent the first sooner had you been at home. Please let me know if I will render any assistance, or take any further steps in the matter.—I am, dear sir, yours faithfully,

(Signed) A. M'NEILL, Inspector.

John Crawford, Esq., House of Tongue.

House of Tongue, 2nd March 1878.

DEAR SIR,—I have your letter of this date, enclosing two from Rev. Mr Cumming, Melness, regarding the case of Angus Rankin, tenant, Talmine.

You must exercise your own discretion in the matter, and see that the man is not neglected. This is clearly your duty in the meantime, and until the first meeting of your Board, when the case will most likely come up for discussion.

Mr Cumming is wrong in looking upon Rankin as Morrison's lodger. The reverse is the case. Rankin continues tenant and Morrison is the lodger, and was admitted as such with the view of taking charge of Rankin, which it now suits him to lay aside in a great measure.—Yours faithfully,

(Signed) JOHN CRAWFORD.

Mr A. M'Neill, Inspector of Poor, Tongue.

House of Tongue, 25th May 1878.

DEAR SIR,—Referring to the case of Angus Rankin, Talmine, about which I wrote you to-day, I find Morrison is about to leave the old man alone; and to prevent any such neglect, it will be necessary to take immediate steps—if you have not already done so—to have the old man looked after. To prevent any trouble to yourself or the Board, I have no doubt you will see the propriety of immediate action in the matter.—Yours faithfully,

(Signed) JOHN CRAWFORD.

Mr A. M'Neill, Inspector of Poor, Tongue.

LXIV

Tongue School House, 27th May 1878.

Sutherland
Estates
(Tongue
Management).

DEAR SIR,—I went over to Talmine on Saturday and visited Angus Rankin. He is in a very weak state, and still confined to bed. I told him he would require to remove to another place, but I fear he did not understand me, as his mind appears to be wavering from age and frailty. I with difficulty got a nice place for him with that young woman, Mrs William M'Kay, (Don) Skinned. She is willing to take him into her own house, provided he will be allowed to take his own bed with him, and that she will receive 3s. per week for keeping him clean, free from vermin, and taking proper care of him. This is exclusive of his own aliment of 10s. per month. He is so weak and emaciated it is necessary that I have a medical certificate stating that he is in a fit state to sustain the fatigue of being removed in a cart from Talmine to Skinned (about half a mile). If, however, the Morrisons are removed, Widow M'Kay will at once go to his own house and attend on him there, until arrangements are made for his removal.

I will call a meeting of the Board, immediately after the Communion, to consider his case and a few other cases.—I am, yours faithfully,

(Signed) A. M'NEILL, Inspector.

John Crawford, Esq., Tongue.

House of Tongue, 27th May 1878.

DEAR SIR,—I have your letter of this date regarding the case of Angus Rankin, Talmine. It is absolutely necessary that you should obtain a medical certificate as to the capability of removing the pauper to proper lodging, and the sooner this is done the better. Be good enough therefore to lose no time in having this done, and act on the certificate if favourable, taking every caution to effect the old man's removal as quietly as possible. You, of course, take everything belonging to him with him.

The rate to be paid for his caretaking must be such as you can best arrange until first meeting of your Board, when the matter can be arranged finally.—Yours faithfully,

(Signed) JOHN CRAWFORD.

Mr A. McNeill, Inspector of Poor, Tongue.

MELIORATIONS given to Crofters for Dwelling-Houses, from 1862 to 1883.

3rd September 1883.

The following annual grants have been allowed by the Duke of Sutherland for—1. The purchase of lime for building partition walls between the family and the cattle, and for providing timber and glass for otherwise improving existing dwelling-houses. 2. For purchasing lime, timber for roofing, joisting, flooring, lining, glass, &c., and slates in cases where superior dwelling-houses were erected.

Year.	Allowance.		Accepted.			Total.		
			£	s	d	£	s	d
1862	£150	Of which only accepted	£ 43	10	3			
1863	150	" "	15	0	0			
1864	150	" "	6	6	0			
1865	150	" "	39	8	5			
1866	150	" "	45	4	7			
1867	150	" "	49	2	4			
1868	150	" "	63	12	11			
1869	150	" "	61	7	10			
1870	150	" "	50	3	4			
1871	150	" "	98	2	8			
1872	150	" "	126	9	6			
1873	150	" "	271	0	8			
1874	150	" "	53	2	4			
1875	150	" "	70	14	10			
1876	150	" "	55	13	2			
1877	150	" "	124	7	3			
1878	150	" "	69	17	3			
1879	200	" "	206	2	7			
1880	200	" "	222	5	8			
1881	250	" "	345	13	8			
1882	300	" "	485	14	3			
1883	300	Expenditure will exceed my allowance this year, which makes expenditure over £3833.				£2533	0	6

LXIV.
Sutherland
Estates
(Tongue
Management).

In addition to the above allowance of £300 for houses this year, the duke has allowed £500 for improving tenants' lots by draining, trenching, &c., the crofter in every case being employed in the execution of the work. Since 1862 upwards of sixty superior new dwelling-houses have been built, over twenty more have been improved and made good dwellings, while a considerable number more have been improved and made more comfortable.

JOHN CRAWFORD, Factor.

Offer of Melvich Park to JOHN M'KAY, residing at Bighouse,
Strath Halladale.

MELVICH INN,
4th August 1873.

Mr JOHN M'KAY (Gow),
Bighouse, Strath Halladale.

SIR,—You applied to me some time ago for a lot of land. I have one now at Melvich to dispose of: the large park at east end of Melvich, some time possessed by the late Mr Donald M'Donald, Melvich.

If this would suit you, I can let you have it at £10 per annum, with hill grazing included, and you will receive the usual allowance of timber, lime, and glass for a dwelling-house, and rough timber for offices. Free access to Port-sherry Quarry for stones.

LXIV.
 Sutherland
 Estates
 (Tongue
 Management).

I can give over the crop to you on reasonable terms, and the straw you would have free—leaving it in the same way. Entry at Martinmas first, or as soon as the crop is taken off the ground. Let me know if this will suit you by return of post, as I have other applicants and must let the place at once. I could give you nine or ten acres of muirland adjoining to improve at 2s. 6d. per acre; this would make your farm up to thirty acres in extent—a nice little place. I expect to hear from you in course.—Yours faithfully,

(Signed) JOHN CRAWFORD.

MEMORANDUM of AGREEMENT with JOHN M'KAY GOW, for Park
 at East End of Melvich.

8th August 1873.

I, John M'Kay Gow, residing at Bighouse, Strath Halladale, do hereby offer His Grace the Duke of Sutherland the annual rent of £10 sterling for the field at east end of Melvich, sometime occupied by the late Mr Donald M'Donald, merchant, Melvich, and that during His Grace's pleasure. I am to have hill privileges in common with the other tenants, and in like proportion to the rent I pay. I agree to erect a dwelling-house and offices on the park according to plan and specification approved of by your Grace's factor in the Tongue management; and in consideration of my doing so, I am to receive from your Grace timber for roofing said houses, lime for the dwelling-house, and also ass. If the dwelling-house is slated, I am to have the slates at prime cost at Tongue, and three years to pay them by equal instalments. I agree to take the crop on the park, and also the dung at the valuation put on the same by Mr Crawford, Tongue, and Mr Gunn, Swinny Mains, viz., £29, 17s. 6d., being the proportion effeiring to this park; but if I get the crop of the upper small lot also, I agree to take it at the value of £1, 18s. 3d., and will pay the said price at the term of Martinmas next, 1873—the date of my entry to the said park. And if the said Duke of Sutherland allows me to take the crop presently on the ground home to my father's lot, seeing there are at present no houses on the place where it can be managed or the straw consumed, I do hereby engage to lay down the ensuing crop in a proper manner with artificial manures, to the satisfaction of the factor on the estate. I also do hereby engage and bind myself and my heirs to conform to all estate regulations now or hereafter imposed for the proper management of the property, and shall never infringe any rule laid down or in use for the regulation of the small tenantry of the district.

In witness whereof this Memorandum, written on this and the preceding page by John Crawford, factor at Tongue, is subscribed by me at Tongue office, before these witnesses,—the said John Crawford, and John Crawford, junior, also residing at Tongue, this eighth day of August 1873 years.

(Signed) John Crawford, Witness.

(Signed) JOHN MACKAY.

„ John Crawford, jun., Witness.

COPY LETTER—J. CRAWFORD to JOHN MACKAY.

LXIV.

HOUSE OF TONGUE, 8th August 1873.

Sutherland
Estates
(Tongue)
Management).

DEAR SIR,—On behalf of the Duke of Sutherland, I hereby accept of your offer of this date for the park in Melvich, lately occupied by the late Mr M'Donald, your entry to which will be at Martinmas 1873, or at the lifting of the crop, as suits you best.—Yours faithfully,

JOHN CRAWFORD.

TONGUE MANAGEMENT.

State of Expenditure from 1853 to 1882—30 years.

1st Decade—

Woods and Nursery,	£2,001	
Roads and Bridges,	2,574	
Kirks, Manses, and Schools,	2,002	
Farm Buildings, Lodges, &c.,	12,172	
Reclamations and Improvements,	1,936	
		<u>£20,685</u>

2nd Decade—

Woods and Nursery,	3,060	
Roads and Bridges,	2,717	
Kirks, Manses, and Schools,	1,974	
Farm Buildings and Lodges,	11,490	
Reclamations and Improvements,	8,067	
		<u>27,308</u>

3rd Decade—

Woods and Nursery,	5,816	
Roads and Bridges,	6,727	
Kirks and Manses, &c.,	1,033	
Farm Buildings, Lodges, &c.,	41,507	
Reclamations and Improvements,	45,750	
		<u>100,833</u>

Total,	<u>£148,826</u>
------------------	-----------------

N.B.—Expended by late Duke of Sutherland

from 1853 to 1860 inclusive, £15,883

Expended by present Duke from 1861 to 1882

inclusive, 132,943

£148,826

JOHN CRAWFORD, Factor

3rd September 1883.

LXIV.

Highland
Estates
(Tongue
Management).

CIRCULAR showing School Board Expenditure in Parish of Farr.

April 1882.

The following statement, issued to the ratepayers of Farr previous to last School Board election, will show the full extent of my interference in that parish. With respect to Tongue, the ratepayers nominated and elected me without my consent, and without my having either directly or indirectly solicited a single vote.

‘To the ratepayers of the parish of Farr.—As my tenure of office as a member of the Farr School Board is about to expire, I deem it expedient, as well as a duty to you, now that the school buildings have been completed, to lay before you a state of the total expenditure incurred in the erection and equipment of these schools.

‘After the introduction of the Education (Scotland) Act, 1872, the Education Department issued plans for new schools requiring to be built, and these being found of a character so expensive, that a heavy burden would have devolved on the ratepayers, I suggested the propriety of adopting buildings of a more simple exterior, but equally substantial, and after considerable correspondence and consequent delay, the Department yielded the point, and new plans were agreed too. The erection of new schools and teachers’ houses, with other improvements, were sanctioned, and Government grants awarded on production of statutory certificates that the school buildings were completed in terms of the plans sanctioned and sealed by the Education Department.

‘To avoid a large outlay by the immediate existing ratepayers, the School Board, after consultation, resolved on obtaining a loan of a sum sufficient to meet the estimated expenditure, which I submitted for their approval, repayable within a term of fifty years, as being the least burdensome. I accordingly negotiated a loan for £2700 with the Government Works Loan Board on the above terms. I then obtained plans and estimates for the respective works, which were in due course submitted to the School Board for approval, after which the works were let, and from time to time inspected by me as well as by the architect, and I now have in my possession letters from the Government Works Loan Board, and from the Secretary of the Educational Department, acknowledging the certified statutory statements sent them from time to time showing the expenditure of the loan, and signifying their satisfaction therewith.

‘The last of these letters are dated 26th January and 28th February 1882. The former is to the following effect.—“I am directed by the Local Government Board to acknowledge receipt of the statutory declaration and return relating to the expenditure of the loan of £2700 advanced by the Public Works Commissioners to the Farr School Board;” and the latter reads thus—“The Lords of the Committee of Council on Education in Scotland are satisfied from the certificate presented to them, that the condition on which their lordships’ grants were awarded in the above named cases have been fulfilled.”

‘The following abstract of the expenditure on the respective school buildings in the parish of Farr will show you the total cost, and the amount of Government grant obtained on behalf of each school, &c.

' I. Loan from Public Works Commissioners,	£2700 0 0	LXIV.
' 1. Cost of Strathy School, £609 6 3		Sutherland
' 2. Do. Teacher's house,		Estates
' &c.,	553 2 0	(Tongue
	<hr/>	Management)
' 3. Do. Armadale school and	£1162 8 3	
' teacher's house,	841 17 0	
' 4. Do. Kirktony do.	748 2 0½	
' 5. Do. Farr school class room and	252 6 9	
' offices,		
' 6. Do. Two small schools in Strath-	124 18 1	
' naver,		
	<hr/>	
' Gross total expenditure,	£3129 12 1½	
' I I. To Government Building Grants received--		
' 1. For Strathy school, £99 6 10		
' 2. Do. teacher's house, 65 0 0		
' 3. For Armadale, . 119 10 10		
' 4. For Kirktony, . 101 0 0		
' 5. For Farr, . 39 18 9		
	<hr/>	
	424 16 5	
	<hr/>	
	2704 15 8½	
' Excess over estimated expense and over loan, and paid }	£4 15 8½	
' from rates, }		

' I need scarcely say, that having had the honour of being intrusted with the management of Farr School Board business, which has been considerable, from 1873 until now, I have had no other object or interest to serve beyond what I felt was for the general good of the parish, and, I trust, the lasting benefit of the rising generation. My time and labour have been given gratuitously and without a grudge.

' Insinuations of a very unworthy character, I hear, have been made in reference to me in regard to the discharge of my duties as clerk and chairman of the School Board. I treat all such innuendoes with the contempt they deserve, knowing full well that a majority of the members of the School Board will equally repudiate them.

' The whole of the Board's financial transactions have passed through the hands of the Board's treasurers, first, Mr Coghill, and, latterly, Mr Cameron, both of the Commercial Bank, Thurso (not through mine), who had kept the Board's accounts and relative vouchers. These accounts and vouchers have been annually submitted to and examined by the Government auditor and docketed as correct, so that the ratepayers have the most perfect assurance of the accuracy of all the Board's financial affairs. But if anyone has the least doubt regarding the above statement of accounts, they have ample means of satisfying themselves regarding their accuracy by examining the registered records of the Board's transactions.

' As the school buildings are now completed, I had resolved to retire and not to solicit re-election, leaving some fitter person to take my place. I find, however, that I have again been nominated for re-election, and, if returned, I will, if spared, endeavour to act as in the past to the best of my ability; but if the ratepayers are in the least dissatisfied with the past performance of the duties I have had to discharge, they have only to express themselves publicly to this effect, and I will have the greatest pleasure in intimating my retirement previous to the day of election [I was, as formerly, placed at the head of the poll]. Thanking you all for past favours, and for your indulgence in regard to my many shortcomings, I remain, your faithful

' servant, (Signed) JOHN CRAWFORD.'

LXIV.

Sutherland
Estates
(Tongue
Management).

TONGUE MANAGEMENT.

*Memo. of Expenditure in Draining, Trenching, and Fencing Crofters' Lots,
and also in outgoing Meliorations, from 1853 to 1882.*

1.	Expended in Drainage Works,	.	.	£529	6	3
2.	Do. Trenching Land,	.	.	461	8	4
3.	Do. Fencing Crofts, .	.	.	102	10	8
				<hr/>		
				£1093	5	3

Meliorations paid to outgoing or retiring tenants, being value of timber or erections made by them during their occupation, and within the period fixed by estate regulations,

75 6 9

 £1168 12 0

(Signed) JOHN CRAWFORD, Factor.

House of Tongue, 19th September 1883.

Arrears of rents remitted to small tenantry by the Duke of Sutherland at Whitsunday 1840,	£2857	14	4
Arrears of rents remitted to small tenantry by the Duke of Sutherland from 1853 to 1883 (1st January 1883),	893	2	1
	<hr/>		
	£3750	18	5

J. C.

TONGUE MANAGEMENT.

Memo. of Comparison between 1853 and 1882, with a few Facts added for the Information of the Commissioners.

September 3, 1883.

No. of Tenancies.			RENTAL.	
1853.	1883.		1853.	1882.
—	2	Deer forests, gross rental,	£ ...	£415
12	13	Large farms, "	5,094	10,844
695	687	Crofters' holdings, including hill grazings,	1,597	2118
17	36	House property, &c.,	138	436
—	30	Cottars' paying rent, . . . . .	...	22
2	14	Shootings,	310	5,390
2	13	Fishings,	260	1,495
728	795	Total, as per special return made,	£7,397	£20,720
70	66	Cottars from whom proprietor receives no rent, . . . . .	...	...
798	861		£7,397	£20,720

Public Assessments, consisting of Parochial, School, and Road Rates, one half of which is Payable by Landlord and Tenant respectively.

LXIV.
Sutherland
Estates
(Tongue
Management).

	Poor Rate.		School.		Road Rate.	
	1853.	1882.	1872.	1882.	1872.	1882.
Parish of Reay—per £ sterling	2 0	1 6	0 3	0 10	0 7	0 8
Parish of Farr	2 10	1 2	0 3	0 6	0 7	0 8
Parish of Tongue " "	3 6	2 1	0 3	1 6	0 7	0 8

N.B.—Crofters and cottars paying under £2 of annual rent are exempted from paying poor and school rate, of which in parish of Reay there are 65
 " Farr " 121
 " Tongue " 39
 Total, 225

for whom the landlord pays the assessments.

The game rents have reduced rates about 25 per cent.

Previous to 1872 the crofters paid no school rate, and previous to same date the annual road rate was 3d. per £ sterling as the tenant's proportion.

Area of Tongue Management, consisting of—

	Acreage.	Acreage.
	1853.	1882.
1. Crofters' holdings—arable land,	3,068	3,136
Do., unreclaimed within boundary of croft, .	692	624
Total area of arable and pasture,	3,760	3,760
Total area of hill pasture attached to crofts, .	62,118	62,118
Total combined area under crofts,	65,878	65,878
2. Deer forests—total area,	200	7,880
3. Large farms under sheep—arable and moor, .	344,111	336,431
Total area of estate,	410,189	410,189

Average, Extent, Rent per Croft, and Rent per Acre of Crofters' Holdings as undernoted.

	Area of Croft.	Average Rent.	Average Rent per Annum, Arable.		Average Rent per Annum, Arable and Hill.	
	Average.	Per Croft.	1853.	1882.	1853.	1882.
In Parish of Reay,	3 11	£ 3 3 10	12 1	14 0	} 0 4	} 0 7½
" Farr,	3 65	2 5 2	8 0	10 2		
" Tongue,	4 87	3 11 4	17 1	14 7		
Average rent of deer forests per acre, . . . . .					...	...
Do. do. of large farms, including arable and moor as let together on the basis of number of sheep each farm is estimated to keep,					0 3½	0 8½

LXIV.
Sutherland
Estates
(Tongue
Management).

N.B.—The land lately reclaimed for the large tenants realises an average annual rent of about 20s. per acre, and this in addition to the average rent of 8½d. per acre as above calculated.

Remission of crofters' rents, being arrears cancelled by the Duke of Sutherland at Whitsunday 1840,	£2357 16 4
Do. do. from 1840 to 1st January 1883,	893 2 1
Total,	£3750 18 5

Crofters' Stock.

	1853.	1882.
Horses,	33	405
Cattle,	2379	2282
Sheep,	5583	5165
Pigs,	30	30

Large Farm Hill Stock.

	1882.	1883.
Sheep, estimated numbers on which farms rated,	42,200	40,400

N.B.—To make the comparison more intelligible, it may be stated thus—

<i>Crofters' stock</i> —Horses 405, equal to 5 sheep each = 2025 sheep,
Cattle 2282 each, equal to 3 sheep = 6846 „
Sheep kept, 5165

Total, 14,036 sheep,

or equal to about 3½ acres to the sheep on the extent of ground occupied, or 3s. per sheep in the shape of rent. The stock on the large farms will be equal to about six acres per sheep, and 5s. 1½d. per sheep as rent.

Memo. of Extent and Expense of Land Reclaimed from Heather on the following Sheep Farms from 1869 to 1882 inclusive.

Farms.	Acreage.	Expenditure.	Cost per Acre.	Rate of Interest.	Expenditure on Old Arable Land.	Rate of Interest.
Borgie,	50	£729	£14.58	5 %	...	...
Rhifail,	86,230	3,450	40	2½ „	...	...
Melmes,	51,881	1,800	34.69	2½ „	£117 18 6	5%.
Skelpick,	100	3,750	37.5	2½ „	...	...
Eriboll,	70	2,800	40	2½ „	...	...
Ribigill,	147	5,880	40	2½ „	252 12 11	5%.
Langdale,	100	2,000	20	3 „	44 11 8	5 „
Bighouse,	216	5,630	26	...	...	...
Total,	821,111	£26,039	£252.77	...	£415 3 1	...
£31, 14s. average cost per acre.						
Expenditure made under agreement per lease 1870— equal to 2½% of outlay.						

APPENDIX.

AIRD, 13th March 1863.

LXIV.
 Sutherland
 Estates
 (Tongue
 Management).

J. CRAWFORD, Esq., Tongue House.

SIR,—I write these few lines to say that I agree to the arrangement you made with regard to the land between myself and George M'Kay, same time I expect to be allowed to enclose the ground below the house and the patch at the back of the house together, I thought proper to let you know of this before I commence.—Meantime, I remain, your obedient servant,

ANGUS GORDON.

We, the tenants in Airdneiskich, do hereby consent and agree to your making any change you may see fit in the line of Road from the Icehouse at Naver towards the post on the shore westward where we lift sea-ware, on condition said alterations are pointed out on the ground before we begin to lay down our crops. In witness whereof we, George M'Kay, Angus Gordon, and Jane M'Kay for widow John M'Kay, and Janet M'Kay for brother John M'Kay, subscribe this Minute, written by John Crawford, Factor, Tongue House at Bettyhill, this 17th day of December 1861 years, before these witnesses, John Barclay, Accountant at Tongue, and John Ross, Ground Officer, Fiscary.

(Signed) J. Barclay, Witness.

• John Ross, Witness.

(Signed) GEORGE MACKAY.

" ANGUS GORDON.

" JANE M'KAY.

her

• JANNET × M'KAY.
mark

LXV.

LXV.

ALLEGED CASES OF HARDSHIP ON THE ESTATE OF HIS GRACE THE
DUKE OF SUTHERLAND, K.G.

Mr Angus
Sutherland,
Glasgow.

I.—EXTRACT FROM LETTER OF ANGUS SUTHERLAND, Glasgow Academy,
Glasgow (aged 30), Delegate from the Federation of Celtic Societies.

(See Evidence, pp. 2431 and 2486 et seq.)

I had the honour to appear before you on a previous occasion, namely at Helmsdale, Sutherlandshire, on Saturday, 6th inst. On that occasion I submitted a statement on behalf of the crofters of the parishes of Loth and Kildonan in that county. At a subsequent sitting of the Commission, namely at Golspie, Sutherlandshire, on Monday, 8th inst., your Lordship, in order to check some of the assertions contained in my statement, put certain questions to Sir Arnold Kemball and Mr Peacock as representing the Sutherland estate management. I am entirely satisfied with the general result of that examination. I desire, in passing, merely to note the wonderful faculty of memory displayed. As to money spent or misspent on the estate for the last thirty years, everything was known and remembered; but when questioned as to the grievances of the people and the curtailment of their scanty privileges, memory was a blank, or it happened before their time. I offer no opinion as to the truthfulness or otherwise of the statements then made. My position is simply this:—I made certain statements; some related to matters of fact, others were matters of opinion. What I stated as matters of fact, I am prepared to substantiate in any reasonable manner; what I stated as a matter of opinion must of course be taken for what it is worth, like every other opinion submitted to the Commission.

Evidence,
Q. 38219.

At Helmsdale, your Lordship tried to get at the principle of what is locally known as the 'death tax.' I was asked if this increase of rent was progressive. I replied that I was not aware at the moment of any case where there were two successions to the same holding within my memory except one, and that a witness coming after me would be better able to say if there was a progressive increase of rent. That witness stated that there was. The estate management denied the principle, with qualifications of course. I now submit documentary proof that the increase of rent is progressive. Here are three receipts granted in the case referred to, (1) in the year 1872, to John Macdonald (father) for £1, 10s. 8d.; (2) in 1880, to Janet Macdonald (daughter) for £2, 8s.; and (3) in 1881, to Margaret Macdonald (daughter) for £3, 8s.* The receipts all bear the signature Joseph Peacock. In nine years the rent has been trebled. This is the only case of two successions to the same holding within my memory that I am able at present to recall, and you have the result. So much for the assertion that increase of rent is not progressive.

Evidence,
Q. 38292 et seq.

Evidence,
Q. 38413 et seq.

I stated that part of the holdings of nine crofters was taken from them on the pretence that the proprietor wanted it for the purpose of planting trees,

* These receipts examined by me, and bear out Mr Sutherland's statement. Subject in each receipt 'Nos. 25 and 321, Gartymore.'

and that upon that understanding the people gave up the land, and that the land was immediately added to the holding of an estate official, and that not a tree was planted there to this day, though this happened ten years ago. The estate management did not deny that which had been done, but Mr Peacock is reported to have stated that it happened before his time. Now at the Golspie sitting itself, it was stated that Mr Peacock had been factor for twenty-five years, and if the above transaction took place ten years ago (as it did) Mr Peacock must have been factor for fifteen years before it took place. I have here the names of the nine people who were thus deprived of part of their land, and can hand them in if desired.

LXV.
Mr Angus
Sutherland,
Glasgow.
Evidence,
p. 2452.

Crofters of West Helmsdale, parish of Kildonan, county of Sutherland, who were deprived of part of their holdings on the pretence of the land being wanted by the proprietor for a plantation, but which was at once added to the holding of the harbour-master :—

- | | |
|-------------------------|-------------------------|
| 1. Peter Polson. | 6. Hugh Bannerman. |
| 2. William Gunn. | 7. Isabella Bannerman. |
| 3. John Macintosh. | 8. Alexander Mackenzie. |
| 4. Francis Macintosh. | 9. William Sutherland. |
| 5. Alexander Macintosh. | |

I also stated that the small holdings in the parish of Loth, as they fell vacant, were added to the neighbouring large farm of Craikag. This was not denied, but the number was doubted. I have here a list of thirty-three holdings which have been so added, and can hand it in if required.

Small holdings added to the large farm of Craikag, parish of Loth, county of Sutherland :—

- | | |
|--------------------------|-----------------------------------|
| 1. Alexander Sutherland. | 18. Christina Macintosh. |
| 2. Lucy Sutherland. | 19. Margaret Bannerman. |
| 3. Margaret Gilchrist. | 20. Alexander Sutherland, senior. |
| 4. Margaret Mackay. | 21. John Gow. |
| 5. George Sutherland. | 22. Alexander Sutherland, junior. |
| 6. John Murray. | 23. Widow Budy. |
| 7. John Grant. | 24. George Gordon. |
| 8. William Ross. | 25. John Mackay. |
| 9. Donald Mackay. | 26. George Sutherland. |
| 10. William Reid. | 27. James Gordon. |
| 11. Widow Bannerman. | 28. Margaret Fail. |
| 12. George Mackintosh. | 29. Barbara Sutherland. |
| 13. Roderick Ross. | 30. Joseph Sandison. |
| 14. John Sutherland. | 31. Alexander Campbell. |
| 15. Hugh Sutherland. | 32. The Schoolmaster's holding. |
| 16. Janet Matheson. | 33. Mary Bannerman. |
| 17. Widow Mackay. | |

There was also doubt thrown upon the statement, that part of the holdings of fifteen others was added to the holding of the local ground officer. I have here a list of the names of the persons who were so deprived, and can hand it in also if required. Mr Peacock is reported to have stated that it was added to the holding of the present ground officer. In justice to that gentleman I am bound to correct that statement. It happened before the time of the present ground officer, but during Mr Peacock's time.

LXV.

Mr Angus
Sutherland,
Glasgow.

Crofters of West Helmsdale, parish of Kildonan, county of Sutherland, part of whose holdings were taken away, and added to that of the local ground officer.

- | | |
|--------------------------|--------------------------------|
| 1. John Murray. | 9. Christina Bannerman. |
| 2. Widow William Mackay. | 10. John Ross. |
| 3. John Fraser. | 11. John Macdonald. |
| 4. Donald Munro. | 12. Robert Ross. |
| 5. Widow Joseph Macleod. | 13. Robert Gunn. |
| 6. Donald Sutherland. | 14. Christina Ross. |
| 7. William Macleod. | 15. Widow Alexander Bannerman. |
| 8. William Bannerman. | |

There were several other inaccuracies, but in consideration of the value of the time of the Commission I let them pass.

I crave the indulgence of the Commission while I read a letter in regard to evidence given at Golspie concerning Alexander Gunn, Inchcape, Rogart.

Evidence,
p. 2513.

'GLASGOW, 19th October 1883.

'ANGUS SUTHERLAND, Esquire.

'DEAR SIR,—I have just learned from our mutual friend Mr J. G. Mackay, that you are to appear to-morrow (Saturday) before the Royal Commission, to give evidence on matters regarding the county of Sutherland, and I shall feel greatly obliged if you will kindly bring before the Commissioners the case of my brother Alexander Gunn, Rogart, who gave evidence before the Commission at Golspie, and the explanation afterwards made by Mr Peacock, factor on the estate, *maliciously* reflecting on my brother's character. Will you please state to the Commissioners that my brother was never guilty of any irregularity, and that the statement made by the factor is a vile insinuation, attempting to cast opprobrium on my brother to cover his own grinding process of management. In proof of which my brother has by private letter, and publicly through the columns of the *Scotsman* newspaper of the 15th current, resented the indignity cast upon him, and calls on the factor for an explanation.

'Mr Peacock has also been written to on the subject by Gilbert Gunn, lance-corporal in the 93rd Regiment (Sutherland Highlanders), eldest son of the said Alexander Gunn, challenging the factor to prove the insinuating aspersions cast on his father, and so far there has been no reply to either. You can see that this sort of treatment is no great encouragement for young men from the county joining the Territorial Regiment.

'I enclose copies of the letters above referred to, viz, Alexander Gunn's letter to the *Scotsman* on the 15th current, and his son Gilbert Gunn's letter to the factor on the 11th current, which you are at liberty to use in evidence, and trusting the matter to your hand, in which I trust you will oblige,—I remain, Dear Sir, yours truly,

THOMAS GUNN.'

'EXPLANATION WANTED.

'SIR,—I read a paragraph in your paper of October 9th, that Mr Peacock, on being asked as to the increase of rent referred to by me, said that the increase was due to irregularities on my part. The Duke had in view putting me out altogether, but His Grace decided to put on the valuation rent as a sort of mild punishment. I do not know of any irregularity on my part. I was never

' behind in paying my rent, nor broke any of the estate regulations, unless they consider it an irregularity that I sheltered the Rosses at Inchcape when on the point of starvation, after being deprived of their holding, and inhumanly used by some of the Duke's officials ; or, secondly, that I remonstrated against the removal of Widow Alexander M'Kay, Inchcape, over seventy years of age, who was dragged out of her house to the hill, where she was for nearly two days, after which she went into her own barn, where she spent the remainder of her miserable life. If there has been any case of irregularity on my part it is unknown to me, and I consider it unjust to punish a man for what he is ignorant of. So I wait an explanation from Mr Peacock about the so-called irregularity.—I am, &c.

LXV.

Mr Angus
Sutherland,
Glasgow.

ALEX. GUNN, Tenant.'

' BARRACKS, MARYHILL,
' GLASGOW, 11th October 1883.

' J. PEACOCK, Esquire, Factor, Golspie.

' SIR,—My attention has been called to the proceedings at the meeting of the Crofters Commission at Golspie, where you are reported by the *North British Daily Mail* to have stated that my father, Alexander Gunn, Inchcape, Rogart, was on inquiry found to be implicated in some irregularities for which a fine of 25s. per annum was imposed as a mild punishment. Will you please let me know, per return, if you confirm this report, and if so, I challenge you to verify your statement, and call upon you now to let me know—1st, The crime with which my father was charged ? 2nd, Before what tribunal was he tried, and the date ? 3rd, The name of the judge who sentenced him to pay a fine of 25s. per annum, and ordered the same to be paid to his grace the Duke of Sutherland ? 4th, And if you can state whether his grace is aware of this item forming part of his revenue ? I beg to request that you give me a distinct and categorical answer per return post to each of the foregoing queries,—and waiting your reply, I am, your obedient servant,

' GILBERT GUNN, Lance-Corporal,

' 93rd Regiment, Sutherland Highlanders.'

I mean to confine my few observations to the county of Sutherland, for the double reason that I know it best, and that it affords the best and most complete illustration of the system that has brought the Highlands of Scotland to the present unsatisfactory condition. Not only is the county of Sutherland representative of that system, but my native parish of Kildonan is a strictly representative one in that county, and whatever applies to it applies to the county at large, and to a great part of the Highlands. There is no necessity to recur to what happened there some seventy years ago. Several justifications have been attempted of what was done then ; but let us look at the facts as they stand to-day—the result of seventy years of unimpeded and unfettered sway, and let us judge the system by its results. In making this estimate of the value of the system by its results, I am content for the time to lay aside the historical aspect of the question altogether. To sum up the situation then, there are in this model county three sharply-defined classes—proprietor and factors, large farmers, and crofters. Each of these classes has been heard before this Commission, and not one of them is content. Their grievances may be summed up as follows :—Proprietors and factors—decreasing revenue, increasing rates, and no return on investments. Large farmers—unable to meet their legal obligations, and going to ruin generally. Crofters—too little

LXY.

Mr Angus
Sutherland,
Glasgow.

land, with plenty lying waste beside them, increasing rents on their own improvements, oppression by estate management, and great and growing discontent.

This is the nett result of seventy years of the Loch and *Scotsman* dispensation. It has been asserted that something required to be done in order to do away with the middlemen. Granted that this was necessary, where was the necessity of doing away with the people at the same time? He would be held to be a very unskilful and illogical physician who, in order to cure toothache, would take off a man's head. Whatever may have been the faults and shortcomings of the middlemen, they discharged important social functions, and were qualified to do so. Their successors—the sheep-farmers—had not these functions to discharge, nor the qualifications to discharge them if they had. Thus the useful functions performed towards the people by the middlemen ceased, while the oppression was ably continued and improved upon by factors and ground officers.

It has been stated on behalf of the Sutherland estate management that there has been a tendency to enlarge the bounds of the crofter population. All I have got to say on the point is, that neither has my own experience nor the evidence led before you shown anything of the kind. We have the fact brought out, however, that the tenant of the large farm of Craikag, in the parish of Loth, has a clause in his lease providing that all the crofts as they fall vacant are to be added to his farm. For aught we know to the contrary there may be a clause to the same effect in the lease of every large farmer in the county; and in that case the only limit to the rapidity of consolidation would be the rate of the extinction of the crofter population. Whatever effect the march of events may have had on the policy of the estate management, we have it on the authority of the *London Times* newspaper that the object of the Duke of Sutherland's reclamation works was to enable the sheep-farmers to winter their stock without being under the necessity of sending them out of the county.

A great deal has been made of the fact that the rates paid by the proprietor plus the rates paid by the large farmers exceed the rental of the crofters; but I consider that to be an argument capable of proving something very different from what was intended. There can be no doubt that of all the phases of this land question, in the Highlands especially, statistics that relate to pauperism are the most instructive and important. I think it a question of far more importance how the many may be able to make a decent livelihood, than how the few can make fortunes. It must not be forgotten that rates are assessed upon property and not upon persons, and that crofters pay rates as well as proprietors and large farmers, and upon a much higher valuation. The fulfilment of an obligation imposed by statute cannot, with any fairness, be claimed as a virtue. Whoever holds the land must pay the rates. The crofters would pay them as well as the large farmers, and as a matter of fact they pay more. Strictly speaking, however, no crofter is a pauper. Otherwise we would have the anomaly of a man being a ratepayer and a pauper at the same time. In practice, and so far as known to me, no person in Sutherlandshire receives parochial relief if he holds any land. It is only the landless who are paupers. If they are landless of their own free will, then they are blameworthy, but if they are landless against their will, then doubly great is the guilt of those who have made them so; and I can scarcely conceive anything more mean and contemptible than forcibly making people paupers, and then turning round and reproaching them with their pauperism. It

cannot be denied, and it is within my own knowledge, that pauperism is largely on the increase; but the important question is, What is the cause of that pauperism? Within even my memory it was considered a reproach to be a pauper, and nothing short of the direst necessity would induce any person to accept parochial relief. The stigma of pauperism was regarded with the most positive horror. Many and many a time have I seen old people on the brink of the grave, when their children were forced to emigrate, lament that they themselves would have to be buried at the public expense. The grief of parting for ever with their children was intensified by the dread of this fate—a fate which a witness giving evidence before this Commission at Lybster aptly and forcibly characterised as the ‘the burial of an ass.’ It is surely interesting and edifying to trace back to its origin this honourable feeling,—this dread of pauperism. In Sutherlandshire there cannot be a shadow of a doubt that it had its origin in the circumstances of the people before the clearances. Nothing tells the history of a people so clearly and unmistakably as the survival of a popular sentiment. Dread and loathing of pauperism could have its origin and growth only in a comfortably circumstanced community. A normal condition soon ceases to be an object of feeling one way or the other. I myself have seen, in my native parish, the decline and I fear the death of this honourable feeling; and I have not the slightest hesitation in laying its death at the door of the large-farm system. The simplest statement of the problem is this: two thousand people were impoverished that six people might make fortunes out of their confiscated labour. This was simple enough, and required but little ‘inspiration’ or ‘masculine energy’ to carry it out. But side by side with this fortune-making grew up other questions—social, moral, and economic. Before the Kildonan clearances £8 collected at the church door sufficed to maintain the poor of the parish in comfort. In the year 1882 they cost the parish £650. That is to say, during sixty-seven years of the so-called ‘improvement’ system, pauperism has increased close on 700 per cent., and that in the face of a decreased population. A more complete and crushing condemnation of a system of ‘rural economy’ I venture to think statistics cannot supply. But this is not all by any means. It was stated before this Commission over and over again that the sheep-farmers of Sutherland were getting an abatement of 50 per cent. off their rents; and if I mistake not it was also stated that this abatement was to extend in all over five years. Now, referring to the parish of Kildonan again, the rental of the sheep-farmers in that parish as per valuation roll amounts to £4180. Deduction of 50 per cent. on the same for one year is £2090, and for five years, £10,450. The maintenance, &c., of the registered poor cost the parish for the year ended 14th May 1882, as per official return, the total sum of £644, 7s. 11d.; and we have the authority of the estate management for saying that the Duke of Sutherland’s share of that was £231. Now, dividing the one sum by the other, we have that his six sheep-farmer paupers cost the Duke of Sutherland in five years as much as his sixty crofter paupers in forty-five years, another striking result of sixty-seven years of ‘improvement.’ But great as is this pecuniary loss, it is but trifling compared with the moral loss. This is simply incalculable. The amount of moral degradation implied in the compulsory pauperisation of a people famous for their self-respect and moral integrity, furnishes an example of incapacity and shortsightedness unequalled in the annals of human folly.

I am not prepared with any cut and dry theory as to the remedy for the present state of the Highlands. Generally speaking I agree with Mr Purves

LXV.

Mr Angus
Sutherland,
Glasgow.

LXV.

Mr Angus
Sutherland,
Glasgow.

(and I am glad to be able to agree with him on any point) that education is the agency that will have most to do with the settlement of the question, though I anticipate that it will operate to that end in a very different manner from what he anticipates. Mr Purves thinks that the effect of education will be that the people will leave the Highlands—their native country—entirely to him and his class. But if they also are to be paupers as they at present virtually are in Sutherlandshire, I fail to see where the benefit could be even to the landlord, while I have no difficulty in seeing where the expatriation of the people would be a great loss to the nation. I think that education will have the effect ultimately of removing Mr Purves and his class, for ignorant people will submit to many hardships and oppressions that an educated man with a knowledge of his rights and capabilities would not for a moment submit to. I can appeal to Mr Purves himself with confidence on this point, and I have no doubt his experience will confirm my statement. But the education the Highland people stand most in need of is not that directly supplied by the School Boards, but education in their political rights and privileges. Of course they are at present outside the pale of the constitution, but that is a state of matters we all hope to see remedied very soon. Let them once have a voice in their own destiny, and the rest is a mere matter of time. I can see no difference in the way by which matters must be righted in the Highlands and the way in which matters have been righted elsewhere. The question in the Highlands is but a local manifestation—aggravated no doubt by local circumstances—of a much wider question—a question which I venture to think will occupy public attention more and more as time progresses. Two principles diametrically opposed to each other are here brought face to face, namely, the right of the state to govern and protect the subject, and the right claimed by the proprietor of land to do with his own as he likes. The crofters of the Highlands now claim the one, the proprietors of land have for a long time claimed and practised the other. The two are incompatible. I confess that I can see no *via media*—no device by which a present and temporary settlement can be arrived at until public education is ripe for a final and logical settlement of this important question.

STAFFORD HOUSE,
LONDON, 1st December 1833.

DEAR SIR,—The Duke of Sutherland has perused the accompanying letter (with its enclosures), forwarded to me by Mr Peacock under flying seal, and by his Grace's desire I forward it to you.

I have only to reiterate the hope which I expressed in person to the President of the Royal Commission, in the Duke's behalf, that opportunity should be allowed to the factors on his Grace's estate respectively, of explaining any grievances (arising out of deviations from estate rules), however exceptional, which may be alleged against these gentlemen.

It is not only his Grace's wish that wrong, if proved to have been perpetrated in his time, should be righted, but that its recurrence should be effectually prevented.

A. B. KEMBAL

To Mr Joseph Peacock, Factor for His Grace the Duke of Sutherland, K.G., Golepie. LXV.

HELMSDALE, 8th November 1870.

Mr Angus
Sutherland,
Glasgow.

We, the undersigned, hereby agree to give up possession, as from Whitsunday 1870, of the detached bits of land or pasture that we respectively occupy on the face of the Shore Braes, at West Helmsdale, north of the Parliamentary road, and between the lot, occupied by Donald Watson and the Castle Park, it being understood that our rents are to be reduced as understated for the land so given up.

Rental No.	Name.	Rent to be reduced by.	Signatures.
153	Richard Young	3s.	(Signed) Richard Young.
110	Alex. Bannerman	3s.	„ John Mackay.
163	Widow Roderick Ross.	3s.	„ her
			„ Christy × M'Intosh.
123	John Murray	3s.	„ mark.
131	Widow Donald Macdonald	3s.	„ John Murray.
112 & 114	Alex. Bannerman, jr.	6s.	„ Widow Donald Macdonald.
165	Donald Sutherland	3s.	„ Alex. Bannerman.
108	John Fraser	6s.	„ Donald Sutherland.
			„ John Fraser.
162	Robert Ross	3s.	„ his
			„ Robt. × Ross.
122	John Macdonald.	5s.	„ mark.
113	Widow Alex. Bannerman	2s. 6d.	„ John Macdonald.
166	Helen Sutherland	2s. 6d.	„ Wm. Bannerman.
157	Donald Munro	2s. 6d.	„ Helen Sutherland.
324	Robert Gunn	2s. 6d.	„ Donald Munro.
			„ Robt. Gunn.
		£2, 8s.	For Braes east of Cruickshanks.
138	Peter Polson	2s. 6d.	(Signed) Peter Polson.
129	William Gunn	2s. 6d.	„ his
			„ Wm. × Gunn.
146	John M'Intosh	2s. 6d.	„ mark.
			„ his
145	Francis M'Intosh	2s. 6d.	„ John × M'Intosh.
144	Alex. M'Intosh	2s. 6d.	„ mark.
169	Isabella Bannerman	2s. 6d.	„ his
			„ Francis × M'Intosh.
109	Alex. Bannerman	2s. 6d.	„ mark.
142	Alex. M'Kenzie	2s. 6d.	„ Alexander M'Intosh.
115	Widow Adam M'Donald	2s. 6d.	„ her
			„ Isabella × Bannerman.
			„ mark.
			„ his
			„ Alex. × Bannerman.
			„ mark.
			„ Alex. Mackenzie.
			„ her
			„ Jane × Bannerman.
			„ mark.
		£1, 2s. 6d.	For Braes west of Cruickshanks.

JOHN R. FORBES, Ground Officer.

LXV.

Joseph Peacock, Esq.,
Factor for the
Duke of
Sutherland.

2. Reply on behalf of The DUKE of SUTHERLAND to the Statement by
MR. ANGUS SUTHERLAND, Glasgow Academy, Delegate from the
Federation of Celtic Societies.

GOLSPIE, Nov. 28, 1883.

MY LORD AND GENTLEMEN,

The following remarks on the statement by Mr. Angus Sutherland will be confined to matters of fact, in explanation of the cases he mentions :—

Evidence, Q.
38413 *et seq.*

Case of MARGARET MACDONALD, 25 and 321 Gartymore.

In 1848, John Macdonald (father) succeeded his brother Robert at a rent of £1.

In 1869, the father got an additional piece of ground, for which he paid 10s. per year.

The eightpence, charged in addition, was the tenant's proportion of school salary and road money then collected with the rents.

In 1873, the widow of John Macdonald succeeded at the former rent—£1, 10s. 0d.

In 1876, Janet Macdonald (daughter) succeeded on her mother's death, and the rent was increased to £2, 8s. 0d.

In 1877, the re-valuation of the crofts was made.

In 1881, Margaret Macdonald (daughter) succeeded on the death of her sister Janet, and the rent was then fixed according to the valuation, at £3, 8s. 0d., at which it now stands.

The father and his widow were thus in possession from 1848 to 1876—28 years—and, with the addition made in 1869, held 5·3 acres arable and 3·1 acres unimproved land, besides a share of the hill pasture, at £1, 10s. 0d. per year, being less than half the value of the arable land alone, as fixed by the valuation in 1877.

It remains for Mr. A. Sutherland to explain how "in nine years the rent has been trebled." I may add that I never before heard the phrase "death tax" or "death premium," and I have been 25 years factor on this estate.

This case is extremely exceptional in the rapid changes of tenancy that have taken place.

Evidence,
p. 2432.

Cases of WEST HELMSDALE CROFTERS, 9 and 15 in No.

It is alleged that portions of 9 crofts in West Helmsdale were taken under pretence of forming a plantation, but were at once added to the holding of the harbour master, and that portions of 15 others were also taken and added to the ground officer's holding.

If Mr. Sutherland had, when he first brought forward these cases at Helmsdale, mentioned that the construction of the railway was the cause of the changes—thus fixing the date when they took place,—it would have then and there recalled all the facts, which are simply these :—

In the extension of the railway to Helmsdale, and within a quarter of a mile on the south side of the station there, it was necessary to divert the public road in order to make way for the line, which encroached on the cultivated parts of some rigs of land occupied by these crofters, and left them only a steep brae face, very wet, and quite unfit for cultivation. His Grace desired to improve the appearance of this brae, and the tenants were asked to give it up. This they did at once, quite willingly, and on Nov. 8, 1870, signed a Mem. to that effect, a copy of which I enclose (along with the original, to be returned after verification), in which it will be noticed reductions of rent from 2s. 6d. to 3s. for each rig were given, amounting in all to £3, 10s. 6d per year.

LXV.
Joseph Peacock, Esq.,
Factor for the
Duke of
Sutherland.

It will be observed that there is no mention of planting in this Mem. ; it was, however, spoken of by those in charge of the Railway works, as a means of beautifying the approach to Helmsdale ; but this ground was found to be unsuitable—some other bits of land nearer the station were utilized for this purpose. Subsequently it was decided to add the eastmost portion of the brae to the adjoining croft then occupied by Robert Cruickshanks, and the westmost portion to that occupied by Mrs. Mackay, the mother of the present harbour master. A few years later, an exchange of crofts took place, and some re-arrangements were made, by which the eastmost portion of the brae was added to the ground officer's holding, along with another small piece of land that had fallen vacant. It was this latter addition that I had in view when giving evidence at Golspie.

Case of ALEXANDER GUNN, Inchcape, Rogart.

Evidence,
p. 2513.

In this case it was stated at Golspie that Gunn's rent had been last raised on account of some irregularities in which he was found on inquiry to be implicated.

His brother William, the former tenant (who died in 1866) paid £6, 6s. a year.

Alexander entered in 1866-67 at £6s 10s. 0d. per year.

In 1873, he was supplied with timber and lime gratis, to the value of £28, 10s. 0d., to assist in building a new house.

In 1876, he was allowed £5 for reclamation at 5 per cent., which increased his rent to £6, 15s. 0d.

In 1879, his rent was increased to £7, 16s. 0d., being the amount fixed in the valuation of 1877—the holding consisting of 12·2 acres arable and 6·5 acres pasture unimproved, besides a share of the hill grazing. Gunn's own statement of his stock for the return to the Royal Commission gives 2 horses, 5 cattle, 11 sheep, and 1 pig.

The rent was increased in 1879 because His Grace considered he had good reason to be dissatisfied with the conduct of A. Gunn and his family respecting a small house near the boundary of his lot, which had become vacant by the death of Barbara Leslie, and was promised to Christy Mackay, to whose occupancy thereof Gunn and his wife were strongly opposed. On the night of Nov. 9, 1878, this house was partly broken down, and in the ordinary course the matter was reported to the police. On the 29th of the same month, this cottage was partly destroyed by fire, under circumstances that could not fail to give rise to suspicions of a very painful character. The police inquiries resulted in Gunn's wife, along with Christy and Jessie Mackay, being apprehended. Subsequently Christy Mackay was convicted on her own confession of the crime of malicious mischief on the 9th Nov. and fined 10s., but no sufficient evidence could be obtained as to the cause of the fire on the 29th Nov.

LXV.

Joseph Peacock, Esq.,
Factor for the
Duke of
Sutherland.

The irregularity on the part of A. Gunn, as it appeared to His Grace, was that from the first he exhibited great aversion to the tenant selected for the vacant cottage; and that on its partial destruction, first by pulling part of it down and then by setting fire to it, it did not appear that Gunn or any of his family had made the slightest effort to protect the property, but that on the contrary they made no secret of their desire to prevent its occupation by the tenant selected for it by the proprietor.

In places so far removed from police supervision as Inchape, His Grace thinks it not unreasonable that the inhabitants should understand that it is a duty incumbent on them to take due care of property to whomsoever it belongs, and, if they are unable to do so, at least to afford every assistance in bringing to punishment persons guilty of maliciously destroying it. In this respect, His Grace concluded that Gunn had failed in his duty, and to mark his displeasure he put Gunn under notice of removal. Gunn, however, evidently saw it was his interest to stay, and His Grace permitted him to do so on condition that the rent should be as fixed by the valuation of 1877. Gunn agreed to this, but owing to an oversight in the estate office—which Gunn did not fail to take full advantage of (conduct it is unnecessary to comment upon)—the increased rent was not paid for the two following years.

Evidence,
p 2437.

Case of 33 HOLDINGS in LOTH, said to have been added to Crackaig Farm.

In this, as in other cases, Mr. A. Sutherland gives no dates, or any information to fix the period when this absorption is alleged to have occurred, but merely gives a list of 33 names. Respecting these, inquiries have been made, extending back over 40 years, in some cases more; and according to the information obtained, it appears that many of these holdings were sub-tenancies under the former tacksman of Crackaig or Lothbeg, to whom the tenants paid higher rents than are now charged for similar holdings, and, in addition, had to render services from which the crofters are exempt.

In the negotiations with the former lessee of Crackaig, it was arranged to put an end to these sub-tenancies; and as the holdings fell vacant, certain of them were to be added to the farm within the boundary of which they were situated.

As the result of the inquiries about the 33 names above mentioned, the information obtained may be thus tabulated:—

7 crofts have been added to the farms of Crackaig or Lothbeg by vacancies arising from deaths in 5 cases, the tenants leaving no successors; and in other 2 cases by the voluntary removal of the tenants to better holdings elsewhere.

11 cottars having died out, and their cottages not being further required, or not worth repair, the sites, including in some cases small gardens, were added to these farms.

7 crofts are still occupied by the successors or survivors of parties included in Mr. Sutherland's list, assuming the names to have been correctly traced out.

7 names appear to be double entries for one and the same house or holding, or are cases where the parties cannot be traced.

1 site of the old parochial school (now the public school) erected specially for the accommodation, at the most convenient place, of the children of the crofters and cottars.

The correctness of this analysis, it may be stated, rests upon information obtained from old people now resident in the locality. LXV.

This statement being merely one of fact, all that need be stated in conclusion is, that Mr. Sutherland's calculations on page 6 of the proof of his statement are founded on hypotheses altogether erroneous.

Joseph Peacock, Esq.,
Factor for the
Duke of
Sutherland.

I have the honour to be, etc.,

JOSEPH PEACOCK.

LXVI.

LXVI.

SCHEME of Mr GEORGE GREIG for Advancing Money to Small Tenants on the Security of their Stock.

George Greig,
Esq.

INDIA BUILDINGS, EDINBURGH, 24th October 1883.

Evidence, p.
2462 *et seq.*

I have now the honour to submit in some detail the proposal I hinted at in my examination by the Royal Commissioners at Helmsdale for improving the condition of the Highland crofters.

The Government granted funds for the drainage of land, which was largely taken up in Scotland, and resulted in much permanent good, the Government loan being preferable to all other creditors. Government advances have also been made to the crofters and small tenants of Ireland, the loan in like manner being preferable to all other creditors.

My proposal was to apply the same principle of advance to crofters and small tenants in the Highlands to enable them to acquire animals to stock small pastoral farms of a size sufficient to maintain a family, and thus afford them an outlet for their energies.

In the other cases referred to the advance was made to the individual, involving the machinery necessary for collecting over a period of years at considerable expense. In this case my proposal is to advance the money to a financial organisation, composed of leading men of respectability and responsibility, who will undertake the loans and recovery of the cash advanced by instalments or on sale of the animals bought.

The business of this financial organisation would be, by approved inspection, to visit farms and crofts, report the stock necessities of the occupant and estimate the cost, inquire into the character of the borrower, and, if trustworthy and industrious, see the purchases made on which the Association would advance to the extent of three-fourths of the gross sum required, repayable with interest not exceeding 5 per cent. per annum at fixed terms.

The Association would have right to draw from Government to the extent of three-fourths of the advance made on completion of the security, at a rate of interest not exceeding $2\frac{1}{2}$ per cent. per annum. The security to the Association would be a writ under the hand of the borrower, registered in the county register, to be discharged by simple acknowledgment written on the back, and marked in the register and delivered to the borrower. The animals acquired would be branded with the Association's brand, and whatever was acquired with the loaned money would remain the property of the Association till the borrower had his recorded discharge in his hand. The Association loan on these animals would be declared preferable thereon to all other creditors for rent, furnishings, or other debts or advances, saving only Her Majesty's taxes.

The advantage of this scheme would be that it would induce landlords to divide their territorial acres into comfortable and manageable little farms, to select honest industrious tenants from the over-populated crofting centres, and to clothe the hills with stock in quantity, quality, and kind suitable for the particular district, which would necessarily result in a large increase of produce, and with it reproductive employment to the people; and in my opinion it would

operate also as a certain security to landlords for payment of their rent, for it is and can only be produce that pays the rent in the end ; and where the produce in any area increases, the security for rent is necessarily enhanced. Loans might also be made by the Government direct to landlords for building houses and fences and making drainage, which this subdivision would necessitate.

LXVII.
George Greig,
Esq.

The scheme may be thought to have disadvantages, but I fail to see them. Adventurers, it may be said, might offer high rents and get possession of land without any capital, and leave the Association lenders in the lurch and their ordinary creditors too. But that is a matter in the landlord's own hands. Doubtless the effect will probably be to raise rents, but the responsibility of accepting tenants will always be with the landlords, so loss on these heads need not be anticipated ; and then it will be kept in mind that the Association has always a margin against loss of one-fourth of the entire advance.

In my humble opinion, if such a scheme as that suggested were made specially applicable to the Highlands, it would in a very short time lead to the full employment of the crofter population, and contentment and happiness would result. The proprietor would get higher rents and the country double the produce.

GEORGE GREIG.

LXVII

LXVII. STATEMENTS submitted by the Crofters of the Parish of Dornoch.
 Crofters of Dornoch, (See Evidence, p. 2553 et seq.)

PARISH OF DORNOCH,
 21st September 1883.

The crofters and small farmers of the parish of Dornoch having held several meetings in view of the Royal Commission visiting the County of Sutherland, have agreed, as the result of their consultations, to submit the following statement, which shows their grounds of complaint on the one hand, and what they suggest by way of remedy and improvement on the other.

The complainants wish it to be understood that this statement is intended to form a basis for the examination of their delegates, whom they expect to be prepared to enter more into detail.

I.—*The Complaints.*

The various items of complaint may be summarised as follows:—

1. *High Rents.*—The complainants are willing to allow that the rents are in some instances throughout the parish reasonable enough, and afford no cause for complaint to the occupiers. Those thus situated are not represented by this document. But, under the recent valuation, lands formerly moderately rented have had the rents enormously increased. The occupiers complain that the rents in many instances are too high under any circumstances, but they feel the grievance all the more, because any value belonging to the land is due to the labour expended upon it by the occupier in company with his father, or some other relative who preceded him. Cases are found throughout the parish of rents which have been increased 50 per cent., and in some instances were more than 100 per cent. per annum. The burden of such an increase in rents is felt to be all the more oppressive, because the land so taxed has been improved for the most part from a wild and waste heath to cultivated land.

2. *Limited Pasture.*—Even where the land has been improved, and when there may be probably sufficient provender for the winter months, it is complained that there is little or no pasture for the summer months, as the amount of land held is too circumscribed to graze cattle and produce crops at the same time. Because of the privileges allowed to game and sheep, and the exclusion by wood enclosures from land formerly appropriated as a common, either all, or almost all, the ground formerly held by the different townships on which the cattle of their respective tenants were wont to walk is absorbed.

3. *Uncertainty of Tenure.*—The crofters of Dornoch and of Sutherland generally have not hitherto complained of this publicly, but they feel it notwithstanding. They feel that they have not the same encouragement to improve their land or expend upon their holdings, when they are without the guarantee of continuance in respect to the one, and no certainty of compensation in respect to the other. Besides, destitute of this guarantee, they are destitute of that feeling of independence which they believe it good for men to possess, and which is enjoyed by the large farmers.

4. *Injury done to the Crofts by Game.*—The land of crofters is usually situated in the neighbourhood of woods and other places accessible to game. These are making constant incursions on the ground of the crofters; and the evil is aggravated by this fact that anything done to disturb the game, on any ground, is likely to be resented. So that the crops, scanty and poor enough independent of this circumstance, suffers a considerable reduction in value by the preservation of game. LXVII.
Crofters of
Dornoch.

5. *The Grass in the Woods Interdicted.*—Formerly, the woods in general, and some of them in particular, formed a common for pasture, but the whole of these are now so carefully fenced in, and the grass which grows inside is so strictly inhibited, that it dare not be even cut; and thus what might suffice for tolerable pasture in summer, if allowed, or if closed against the entrance of cattle in summer, permission were given to cut the grass in certain parts, the supply of provender to the poor crofters might be considerably augmented during winter.

6. *Difficulty of obtaining Redress.*—Neither the crofters nor the generality of the people on the estates of Sutherland deny that his Grace is approachable by his tenantry, and is disposed to hear what they may have to say regarding their grievances. But his Grace is seldom found on his northern estates, and when found, his Grace is believed to be influenced by his subordinates, by the valuation roll, and by other hard and fast rules of the estate, more than by the real facts of each case. Some of the crofters are of opinion that, while it may be difficult to adduce proof that the discretion given to subordinates is opposed to the generous policy which a liberal proprietor might be expected to observe in his dealings with his tenantry, in any case the crofters have to complain of the extreme difficulty of obtaining redress.

II. *The Remedies.*

The crofters, without condescending upon all the possible remedies, are free to mention two which they deem of special importance in connection with any means of redress available.

1. *The restoration of the Land alienated from their Ancestors.*—Some seventy or eighty years ago, large numbers of the people were expelled from their original holdings on which they had been enabled to live with ease and comparative comfort, and were under the necessity of emigrating to the colonies or settling down on poor and unproductive land, which, after long and expensive labour, scarcely yields a livelihood. What they wish is the restoration of part of the land alienated, and such a redistribution of the land now possessed as that there may be fair remuneration for labour. The crofters do not presume to dictate how this may be done. But they believe his Grace can effect it if he wishes, and if his subordinates can be induced to take the trouble of carrying out his Grace's instructions. By way of suggestion, they would remark that his Grace has several farms presently in his own hand, in consequence of failure or surrender on the part of their occupants. Should his Grace either subdivide or apportion parts of these in lots of sufficient size to afford the means of supporting a family, and not in excess of what limited means might be able to stock, the districts presently overburdened with population would be relieved; and the crofters are confident that his Grace, by a cautious policy of this kind and a little patience, would be no loser financially. To specialise, there is presently a farm to let, or soon to be let, in the neighbourhood of the Poles, nearer the Mound, which, if subdivided between some of the crofters on the north side of the road who are supplied with poor land, and stinted in measure,

LXVII.
Crofters of
Dornoch.

would have the effect of amply providing for the crofters, and yield as good a return to the proprietor. This is only an illustration of what might be effected without much trouble, and within the bounds of this single parish.

2. *The Appointment of Men to manage the Estate who know the People and have sympathy with them.*—The crofters are unwilling to attribute their hardships to the present officials of the proprietor; but they believe and know that much of the hardship and oppression practised upon the people for the last two or three generations, is traceable to the influence of officials who were strangers, and bereft of all sympathy with the people. Much of the harsh treatment experienced might have been avoided, without any detriment to the interests of the proprietor, had men of humanity and men who felt interested in the wellbeing of the people been intrusted with the management. The Highlands of Scotland are not without illustrations of the mutual advantage to proprietor and tenant of humane and sympathetic officials. They can point to Sir Alexander Matheson of Ardross, whose factor, the late Mr M'Kenzie, arranged the estate of Ardross so that the tenantry were retained on terms advantageous to both landlord and tenant—the principle adopted being a reasonable subdivision of land with aid to stock it, and the allowance of reasonable time to pay up both interest and capital. Did the estates of Sutherland enjoy a factorate during any period within the past seventy years similar to that of Mr M'Kenzie, the crofters of Dornoch are confident that the lands of the Duke of Sutherland would be prosperous and peaceful, and a model to all the Highland estates in the country.

The crofters of Dornoch are free to allow that the Duke of Sutherland, compared with others in the north of Scotland, is a good landlord. They admit that the disposition for wholesale eviction which existed formerly, and which still prevails in some parts of the Highlands, seems to be absent. They further allow that improvements effected are not, as a rule, wrested from those who have been the immediate promoters. They even allow that some crofts are very moderately rented. But with all these admissions it is undeniable that they are tending towards the curtailment of popular privileges all round. Instead of more land being allowed there is rather less; instead of the common ground formerly held being restored, what is held is being withdrawn; rents are tending upwards without guarantee of tenure or any compensation for improvements made, or compensation for damages by game.

The crofters of Dornoch profess to be attached to the Sutherland family, and they believe that his Grace, the present Duke of Sutherland, has both the power and the heart to rectify the grievances of his poorer tenants, provided he takes some trouble and exercises more personal oversight. In respect to territorial possession, he has an opportunity which few or none among Highland landlords have, of adjusting matters between himself and his tenantry. Nor do they regard his Grace as lacking in respect to those generous and noble qualities becoming his order, which would enable him to make such temporary sacrifices for the sale of his poorer people, as would contribute greatly towards repairing the wrongs of the past, and thereby make all his people his servants for ever. In conclusion, they venture to apply to their case the wise counsel given by wise men to an ancient king: 'If thou wilt be a servant to this people this day, and wilt serve them and answer them, and speak good words to them, then they will be thy servants for ever.'—1 Kings xii. 7.

At Birechan, at meetings held in the schoolroom there on the 8th of August, and subsequently on the 21st September 1883, the following parties were appointed to act as the delegates of the crofters at the meeting of the Royal Commission, and with authority to give evidence on all the questions raised by

the Royal Commission. In particular, they instruct Alex. M'Intosh, the sixth ^{LXVII.} delegate, and the oldest of their number, to give evidence on the subject of the _{Crofters of Dornoch.} evictions effected within the last seventy years.

Names and Addresses of Delegates—

1. Sergeant M'INTOSH, Torbal.
2. JOHN CAMPBELL, Balvraid Muir.
3. ANGUS M'KAY, Badninish.
4. DONALD CAMPBELL, Rearchar and Astle.
5. HUGH M'KAY, Birechan.
6. ALEX. MACKINTOSH, Achavaich.

Signed by NEIL TAYLOR, *Chairman of Meeting*

LXVIII.

LXVIII.

Rev. J. Ross,
Durness.STATEMENT by the Rev. J. Ross, Free Church Minister, Durness,
Sutherlandshire.*(See Evidence, p. 1663 et seq.)*

July 23, 1883.

It is to be regretted that the Commissioners pass over without enquiring into the condition of the crofters in this parish. It is not easy for poor people to go to Kinlochberrie, 20 miles off, and thus sacrifice three days, even though they were not under the influence of intimidation, as they are, of which there could be sufficient evidence had the Commissioners come to the parish.

Though the outward circumstances of crofters here may seem more comfortable, as to being well housed and clad, than some districts in the Western Islands, yet there are many hardships in their lot and many depressing influences which they desired should be laid before the Commissioners, had there been a fair opportunity. Durness having the largest acreage, 140'812, and larger rental than the neighbouring parishes (£6615), contains by far the smallest population (987), and always diminishing for several decades; and there is no room for increase, no room for marriages, as neither house nor land can be got. When parents get old and frail, the son or son-in-law, if there be such, occupy and work the croft, and is expected, besides bringing up his own family, to support his aged parents and any other members with them, while the croft is by far too small to support *one* family; indeed, no croft by its produce alone could furnish a livelihood for one family.

There are 100 crofters paying rent from 5s. up to £5; many of the holdings being very small, from 2 or 2½ acres up to 5 acres. The rent and most of the livelihood must be obtained from other sources, from the sea or from some other employment at home or from home. Nor could any family live from the sea alone under the present system; besides the precarious and perilous nature of the fishermen's life, from the exceeding wild and stormy coast, and the want of suitable boats and fishing gear, they have no ready transit to market. For this there is needed a pier at which a steamer could periodically call.

There are four sheep farms and part of another from which the people were removed, and condensed into the townships now occupied by the crofters. There was thus a deprivation of both arable and pasture lands from which they suffer to this day. Balnakiel farm, which contains a large slice of good arable land taken from the crofters long ago, was in the Duke's hands a few years ago, and then less favourable to the crofters than the neighbouring tacksmen. There was an attempt made to intercept them from the drift sea-ware, as they would have to come through a portion of the sheep pasture, though it was not fully carried out. The customary arrangement by which the crofters got grass to cut and season, themselves getting the half and the tacksmen the other half, was departed from, nor would they get dairy produce to buy, and when they did get it afterwards it was at an increased price. So the crofters sought advanced wages, women from 8d. to 1s., men from 1s. 8d. to 2s. or 2s. 6d.

About thirty years ago the township of Durine was deprived of a large park of some scores of acres in the middle between the north and south sides of the

village, and given to Balnakiel without any reduction of rent or compensation, except that Balnakiel dropped the ancient custom of washing their sheep in the loch on the people's commonality on the moor. The people resisted that deprivation, but without avail. LXVIII.
Rev. J. Ross,
Durness.

On the same system they have been deprived last year of the ancient right and privilege of grazing their horses for two months at Fionnbheinn, which they held from time immemorial. They paid for a herd with the horses 1s. 6d. each, and removed them about the 1st of August. An order came from the factor's office last year not to send the horses, and such as sent their horses were fined 5s. for the offence against the factorial order. They petitioned the Duke, and the result was that the 5s. tax is made perpetual for grazing and herding, and 2s. 6d. on the few surviving of the older tenants; and each tenant was asked separately to sign an agreement of that sort. Some demurred, and were told or threatened to be reported as disloyal. Another part of the system which causes discontent is the increase of rent, some one-third, some one-fourth, at each succession, which is interest on their own improvement without any expenditure on the part of the proprietor.

Sangobeg, which originally contained three families, had successively at one time three families thrust in, and ultimately other six families removed from other places to make room for sheep, so that there are now twelve or thirteen families where there were formerly only three.

On the Leathad, aside Loch Eriboll, there are upwards of twenty families driven on that barren slope of shore from various parts, their only advantage being the loch near them and the heather pasture on Ben Spionnadh behind them for stock, but they can have very little for provender in winter. They need a pier or port for their boats. Their rents are generally under £2. Their holdings of land are of the poorest description, as also are those of Sango-beg, the smallest narrow stripes, and also Lerin and Smoo, so that when the potatoes fail and fishing not successful, they have very little help off the land—small miserable patches. The soil by continual cropping and constant use of sea-ware is getting thinner and more exhausted, the crops consequently weaker, and more readily destroyed by the severe gales of autumn. It would need rest by rotation of grass sowing, which on several of the larger crofts is now practised. But fencing from sheep would be also necessary to secure the young grass as well as the corn, and that on the part of some was resisted and opposed by the Local Authority.

At the best, though the rents may not be considered high, if the amount of labour and toil in spring taking ware from the tide, carrying on the back, and the constant round of working and watching were estimated in money value, the produce of the ground is exceedingly dear, the countervailing advantages being a country home, fresh air and water, milk and potatoes, and such privileges. And several improvements and reform would add to the content and comfort of the people, and remove causes of discontent.

The manner in which *personal rule* is exercised, often fitful, arbitrary, or capricious, is one such cause of discontent. The factorial order issued through the ground officer, or the latter's own order as bearing ducal authority being the supreme law, people being hindered or allowed improvements on house or land as the case may be. Instances enough might be given.

There is no doctor for the parish nearer than the remote corner of Edrachillis, 30 miles off, this parish paying the half of his salary for the benefit of Edrachillis. There is no sheriff court nearer than Scourie once a year; no police officer, and for many years no resident justice of the peace, and it was recently

LXVIII.

Rev. J. Ross,
Durness.

there is a resident inspector of poor. Wanting some of these we could go along fairly, as there were only two or three criminal cases within the last eighteen years.

There is now and then cropping out, as if under breath, a frequent grumbling as to the state of education generally, and that all the offices and conduct of the teaching and of the school are concentrated in one family—the ground officer's. Himself was till this year compulsory officer; his son-in-law both teacher and registrar; his daughter, the teacher's wife, sewing mistress; his son, assistant teacher, inspector of poor, and sanitary inspector; and his daughter pupil teacher. All these possibly might be good appointments, but people complain and are discontent, and there are children in this neighbourhood up to twelve or thirteen who can't read a word, as well as some in other parts not being kept at school, neither can read. The ground officer is the sole meal-dealer in the parish, and it suits him better than it would suit any other, for he knows their capability and their stock, and he is kind and considerate in giving meal on credit, and many are in his debt, which gives him great influence, and people would be afraid to utter a complaint about the school or any other matter. Such concentration in one, and the spirit of fear on the one hand or favouritism on the other, tends to deteriorate and demoralize the spirits of the people.

From the domineering spirit, I resigned my place at the School Board after its first meeting. Mr M'Iver (the "returning officer" keeping aloof or absent) emphatically announced "*that he must constitute the Board, and further, that he was appointed chairman in the other parishes, and if any other should be nominated there, it would be held a slur on the Duke of Sutherland;*" and as the representative of the parents I held aloof since, unwilling to submit to the assumption of authority nor disposed to contend against it. Not that I have anything against the factor or other official. He may be the very best for any such office, but concentrating all affairs of this parish in one place, 30 miles off, and all the offices in one family here, as well as the influence of intimidation, is objectionable.

Now, it may be difficult to devise a remedy for the state of the crofters here. Emigration can scarcely apply, the population being so small; and the rental paid by the 100 crofters so small a proportion (£224) of the total rental, £6615; and some of the districts, as Lathad and Lerin, and so unfit for cultivation. The great bulk of the land in Durness, arable, pasture, and heath, is bound at present under lease, and no room on that side for the population to expand.

But there might be given to the people a firm hold of the land they have, their interest in it and improvement of it, without fear of disturbance or removal from it, and freedom from irritating interferences; farther encouragement and stimulus to education and learning of trades, with a pier for steamers to call in at regular intervals, and thus create traffic for the fishing; for the lobsters at which the fishermen are engaged in winter and spring, and even the whelks which women and children gather every spring-tide during winter and spring, though not very fit employment, but of which the people of Leathad make good help for their living, until they get other ways and means of living.

These are the subjects, or some of these, on which I was willing to be examined by the Commissioners had they come ashore here, and as I am not able from ill health to go from home, I now write and submit to them.

JAMES ROSS.

LXIX.

STATEMENT by the Rev. JOHN MACPHERSON, Free Church, Lairg.

LXIX.

LAIRG, 20th October 1883.

Rev. John
Macpherson,
Lairg.

In giving evidence before the Royal Commission at Inverness on the 12th current, Mr Thomas Purves, sheep farmer, Rhifail, made the following statements:—‘The sole object, he believed, of the improvements in Sutherland-shire, was the desire of the Duke to make provision for the small crofters, but His Grace found that the small farms were not taken up by the class of people he wished, and recently larger farms had been made.’ ‘Continuing, Evidence, Q. 41820. Mr Purves repeated explicitly the statement that the Duke of Sutherland’s object in making the reclamations (the old reclamations) at Lairg, was to encourage the living on that land of small tenants. He laid out holdings of about £10 a year each, but they were never taken by the class for whom they were formed. If they went to Lairg to-morrow they would find many of the cottages attached to those holdings empty.’

The only part of Mr Purves’s evidence of which I intend to take any notice is that in which he refers to the land reclamations at Shinness. His statement in regard to these, as every person who resides in this part of the country knows, is without any foundation whatever. The state of matters is the very reverse of what Mr Purves told the Commission. The small farms on the land reclaimed by the noble Duke were at once taken ‘by the class for whom they were formed,’ and the cottages attached to them have all been occupied, whereas the several large farms on the land reclaimed, and, as I have good reason to believe, because they are so large, remain on the Duke’s own hands, with the exception of one of them, which, it is understood, has been taken over recently by an Englishman whose shooting grounds are contiguous to the farm.

The valuation roll for the country, having the names of the tenants on the land reclaimed recorded in it, will show that Mr Purves’s statement is entirely without foundation.

JOHN MACPHERSON,

Minister of the Free Church at Lairg.

LXX.

LXX.

Rev. William
Hall Telford,
Reston.

STATEMENT by the Rev. WILLIAM HALL TELFORD, Minister of the Free Church of Reston, Berwickshire (a native of the Tongue District of Sutherlandshire).

(See Evidence, pp. 1594 and 3237 et seq.)

FREE CHURCH MANSE, RESTON, BERWICKSHIRE,
8th Nov. 1883.

When I had the honour of appearing before your Lordship's Commission on the 22nd of October, your Lordship desired me to put in writing the bulk of the evidence which I was then prepared to give. I now beg to submit the following statement, which is meant to apply to the Tongue district, and to bring out more fully than has been elucidated some facts connected with the more recent administration of that district of the Sutherland estate, and the present circumstances of the people there.

This district extends from the Caithness march to the east side of Loch Eriboll, and has a seaboard of about 45 miles. It contains a population of 4857, of whom 4000 at least may be regarded as forming the crofting and fishing population, and all of whom, with the exception of the Strath Halladale section of the community, skirt the seaboard. Two-thirds of this number form the descendants of those who formerly occupied the three straths that belong to the Tongue factorship, viz. Strath Halladale, Strath Strathy, and Strathnaver. Their removal from these straths took place between 1807 and 1820, at the period now known as the time of the Sutherland clearances. The three straths above mentioned are now occupied by seven sheep farmers. Besides these seven, there are other four located within the factorship, making eleven in all, three only of whom are permanently resident on their farms. I have given the wide margin of 800 to represent the sheep-farming and sporting constituency, with their servants and dependants, and also the local officials and their households.

That the state of the people prior to the removals at the period aforesaid was that of comfort, may be inferred from the fact that, according to the statistical account of 1790, there were in the parish of Farr, then containing a population of 2600, the following tradesmen: 4 millwrights, 16 joiners and carpenters, 34 weavers, 24 shoemakers, 20 tailors; and there are other circumstances that point in this direction. The tacksmen of that time, representing such families as Langdale, Halmdary, Achiness, Achool, Clibrig, and Mudale, were all resident, and were men of education, as can be proved by deeds and documents now preserved in the Dunrobin charter chest. By their status in society as local justices of the peace and officers in the army, they exercised a wide and elevating influence on the tone and circumstances of the people in their neighbourhood.

The effect of this was that a special regiment—the Reay Fencibles—was raised almost entirely in Strathnaver and officered by Reay countrymen, many of whom were the sons of Strathnaver tacksmen; and I may mention that one of them, Gordon of Halmdary, afterwards became Colonel of the 93rd. In 1802, when this regiment—the Reay Fencibles—was disbanded at Stirling, Major-General Baillie, their colonel, spoke of

them in the following terms:—"Major-General Baillie embraces with eagerness an opportunity of expressing his highest approbation of the uniform good conduct of the regiment since it was embodied . . . and repeats his acknowledgments to the whole corps individually and collectively for the general respectability they have at all times and on all occasions maintained, with an anxious wish that they may speedily reap the fruits of so meritorious services, by the full and permanent enjoyment of all the comforts of a private life now so justly become their due."—Dated from Stirling Castle, 24th September 1802. *Vide History of the Clan Mackay*, p. 552.

LXX.

Rev. William
Hall Telford,
Reston.

It may be mentioned that out of these disbanded Fencibles the 93rd Regiment of the line was raised, and that to the men forming it a promise was given of security for the land tenure of themselves and their parents; and it was while this regiment was serving in the Cape and elsewhere that the Strathnaver evictions took place. So that when the discharged men of the 93rd left their regiment "to reap the fruits of their meritorious services," their declining days had to be spent in circumstances and amid surroundings which no patriot could regard, or even now contemplate, save with the most painful and outraged feeling.

I.—*The Strathnaver Peasants.*

I quote the following sentence as to the social state and comfort of the Strathnaver peasantry of that day, from the testimony of the Rev. Mr. Macgilivray, late minister of Lairg, Sutherlandshire, and who had charge of the Achiness Mission between 1801-12. When asked as to the state of the people and their comfort generally, he said:—"There was not a single cottage in the strath where, if they knew I was coming, I could not be as comfortably entertained at table, and provided for for the night, as in my own manse." And the late Dr. Angus Macintosh of Tain spoke as follows of the Strathnaver tenantry:—"For high-toned Christianity and moral character, they were the noblest peasantry I ever saw, and I have been to all parts of Scotland." In the New statistical account for the parish of Tongue, No. 30, page 185, I read the following regarding the status of the evicted people of Strathnaver:—"When introduced here, several hundreds—many of them of a grade quite superior to mere peasants—were driven from their beloved homes, where they and their fathers enjoyed peace and plenty."

II.—*Alleged Destitution.*

Representations of another kind owe any truth they may possess to the fact that the harvest of 1816 was a disastrous one—unprecedented before or since—and brought the people, hitherto comfortable and contented, into a state verging upon destitution. Advantage was taken of this temporary and exceptionable state of matters to urge a change in the condition of the people by those to whom such a change would be personally advantageous, and who had already secured a footing in the district. When the evictions took place, the people were sent to the sea coast, with a view, as was said, to proximity to the sea fishing (*vide* Loch's letter, Feb. 1818, in evidence). The places to which they were sent were already occupied; so much so, that in the New statistical account for the parish of Farr, I find the following sentence:—"In some instances 30 cottars occupying land formerly in possession of 12." This may be said to apply to the whole inhabited seaboard to which the people were sent. Since then little practically has been done to benefit the fishing and crofting population. No harbours

LXX.

Rev. William
Hall Telford,
Reston

were erected, no special interest worth speaking of taken in the fishing industry.

III.—Expenditure for Estate Improvements.

It has been represented to the members of the Commission that the sum of £140,826 has been expended during the last twenty-one years in permanent estate improvements, and that of this sum two-thirds has been disbursed mainly for the benefit of local tradesmen and the labouring population. This statement at first sight appears to be a somewhat formidable one. But I shall analyse it. It represents for local purposes, as mentioned above, an expenditure for twenty-one years of £93,800, which gives a yearly average of £4470, which at the rate of 15s. a week gives employment to 114 men and a boy. This it will be observed from the whole factorship containing 4000 inhabitants, requiring such labour employment, which means four men and a boy out of each township in the factoriate, *i.e.* dividing the latter into 25 townships. The local effect in the way of ameliorating the condition of the people generally by the giving of work is thus inconsiderable. Nor has this large sum of money been expended upon the crofting population, but upon the large farms, eleven in number, and also in building shooting lodges and making approaches thereto.

Of this £140,000 expended, it has been represented that £133,000 has been laid out in what has been termed "permanent estate improvements"—the Melvich water supply being one of them. But this large expenditure is admitted by the factor to have given only an increase of £1757 of rental, or a return of $1\frac{1}{2}$ per cent. of interest upon the outlay. The parties engaged in farming, for whom this large expenditure has been made, were compelled to go last year to the Duke to ask for a reduction of 50 per cent. on their rents, *which reduction was granted.*

IV.—Crofters' Rental.

The rental of the crofting population in the Tongue factorship is £2127, the value of which is the outcome of improvements on the land effected by the people themselves. A re-valuation of their holdings has been recently made, and judging by the returns given in this respect, for the townships located between the Halladale Ferry and the Armadale Burn, and also the Skerray and Tongue townships—the increased valuation must be at least £700—equal to one-third of the present rental. This represents an additional capitalized value of £20,000 for land which was brought into cultivation by the crofters themselves, and for which, under existing regulations, they cannot demand, and have no title to receive compensation.

V.—Production from Crofts.

But there is a further point which I desire to bring before the Royal Commission. The foregoing statement will make plain the disproportion that exists between the local distribution of the crofters and their rental; so much so, that production for their support must be largely imported. This, on economic principles, shows how futile have been all attempts to improve the Sutherland property permanently, or to secure for the people what Mr. Crawford, factor, Tongue, was pleased to call "a foundation for future profit as well as comfort."

I take the number of families represented by the 4000 crofting population in the Tongue district to be 800, and I allow £35 to be the annual

sum required for the support of each family. This would require £28,000 for annual maintenance. LXX.

To meet this the annual value of the production of their crofts, *i.e.* allowing two returns for the support of the families, would amount to £4254. Add to this the annual average disbursed in the interests of local labour £4470, which brings up the sum to £8700; this with the value of local fishings, prosecuted at present under great disadvantages, brings up the total to about £16,000, leaving £12,000 to be otherwise provided for. This means that their crofts, etc., only contribute four-sevenths of their necessary support, three-sevenths for which must be got elsewhere; or in other words, that of every twenty shillings spent in maintenance, 8s. 6d. must come from some source outside the estate.

Rev. William
Hall Telford,
Reston.

This statement proves the necessity for increased holdings, in order that each family may have within itself the means of producing on their own land the necessaries of life.

Sutherlandshire, with its beautiful and fertile straths and glens, is admirably adapted for such a purpose, if only facilities were granted to the people to take small farms. Such facilities would in the landward districts of the county be the proper application of wealth or labour capital to material resources, and would be a means of increased revenue to the proprietor and of widespread benefit to the country.

VI.—*Mildewed Crops in the Straths.*

I am aware that statements have been persistently made to show that, on account of mildews and frosts prevalent in the straths, and so-called "mountains," arable farming could not be carried on with any advantage either to labour or capital.

To refute this cherished theory on the part of certain interested individuals, I have only to state the following facts:—In Strathnaver there are upwards of twenty shepherd homes, attached to each of which there is arable ground, which has been regularly cropped since 1820 with corn, barley, and potatoes. Excellent crops have been reaped from year to year, and with the single exception of the harvest of 1846, when potatoes failed, neither mildews nor frosts have ever been known to prevent the Strathnaver shepherds from reaping the most bountiful and remunerative crops.

VII.—*Pauperism.*

Representations on this subject have been made to the Commissioners. A few facts, however, will bring out that the pauperism of the county is a direct result of the estate policy of the last sixty years. I will deal with two representative parishes—Assynt and Farr—the former belonging to the Lochinver district, and the latter to Tongue.

In the former there are by last published report 104 registered poor. Of this number 22, or one-fifth, are aged 80 and above; 52, or one-half, are aged 70 and above, while 10 only are under 30.

In the parish of Farr there are 110 registered poor. In this roll I find there are 20 aged 80 and above, 45 aged 70 and above, and only 4 under 30 years.

The above table of returns goes to show that the pauperism of those two parishes, and by inference of the whole county, is to a large extent a legacy carried down from the eviction period, at which time numbers must have lost their health from the hardships then experienced. The present system of estate management, moreover, develops pauperism in this way; that if a crofter should happen to lose his health in consequence of his

LXX.

Rev. William
Hall Telford
Beaton.

toiling at improvements or otherwise, he must necessarily become chargeable to the parish, in which case he loses his holding and forfeits all right to any interest in the value of his improvements.

I wish to add further under this head, that an appreciable element in the pauperism of all Highland parishes results from the present law of settlement. I have known instances of individuals who were absent from 20 to 30 years from their native parish, and after bestowing their labour elsewhere, became permanently chargeable to the parish of their birth.

VIII.—*School Rates.*

It is to be observed in this connection that the burden of the school rates in Sutherlandshire has been aggravated by the fact that advantage was not taken by the Sutherland family of the advance made by Government to the Highland counties in the interests of education. The money thus advanced was of immense advantage to destitute Highland parishes, particularly to those that had their populations scattered in inaccessible hamlets and outlying localities. This special grant being denied to Sutherlandshire, necessarily caused the school rate to be excessive; so much so, that in one parish in the county, the school rate has been 2s. in the £ for three years since 1874. And in the same parish the parochial burdens for poor rates, school rate, and road money amount to 4s. 6d. per £ for the current year. This is payable by parties to whom no reduction of 50 per cent. has been allowed, and who in their struggles have actually benefited the estate through the capitalized value of their labour.

IX.—*Pastures.*

Under this head I desire to controvert the evidence of Mr. Crawford, factor, Tongue, which would lead the Commissioners to suppose that the common pastures or hill grazings are good; this is entirely misleading. I admit that the Strath Halladale grazings are on the whole fair; but those attached to the following townships—Melvich, Portskerry, Baligill, and Strathy, including Strathy Point—are of a poor character, unworthy altogether of being called hill grazings for stock of any kind, *e.g.* the hill grazings attached to the Melvich and Portskerry townships, though comparatively wide in extent, are really no better than waste land. From this ground 150 families have for the last 50 years been cutting their fuel, thus still further rendering the land inefficient for grazing purposes. The comparative worthlessness of the land I here speak of can be seen by any one travelling from Melvich Inn to Strathy Free Church.

X.—*Fences.*

There is additional ground for complaint in the fact that from the Halladale Ferry to the Strath of Melness, a distance of 35 miles, there is not a single fence between the crofter's pasture and the large farms, with the single exception of a dyke fence, erected about 25 years ago (barely extending one mile) to bound some new pasture given to the Farr tenantry, and for which they have been taxed £66 annually. This want of fences gives rise to ceaseless annoyance and discomfort to the tenants, and hurt to the stock. In some instances cattle have to be driven daily two miles from home ere any passable pasture can be reached. This brings them near the boundary of the sheep runs, into which they at once wander, where they are not infrequently pointed. It will at once be apparent how serious a drawback the want of fences is within the bounds of the Tongue district.

XI.—Harbourage.

LXX

The Sutherland estate has a seaboard of 140 miles, and along all its coast, with the exception of one or two small piers, there is not one single harbour worthy of the name. I should state that there is what is termed, by the estate management, a harbour at Scullornie, near Tongue, but the access to it is so intricate and dangerous that it is practically worthless for fishing purposes. The location and building of this harbour has a history peculiarly its own, and is one of the many instances of useless and profitless so-called Sutherland improvements.

Rev. William
Hall Telford,
Reston.

The fact is that nothing practically has been done to encourage or foster the fishing industry, which can never be successfully carried on until proper deep sea harbours are erected at Portskerry, Armadale, Kirtomy, Skerry, and Talmine. Three of these places are admirably adapted for the erection of such harbours, and with comparatively little outlay safe and commodious sea basins could be constructed at Portskerry, Skerry, and Talmine.

The hardships connected with the present state of matters are very great. I instance the difficulty of launching and hauling their deep-sea boats. The writer has witnessed every available man and woman in some of the fishing villages on the Sutherland coast, engaged in hauling up their boats over a rough, rocky, and exposed beach. Such scenes have been witnessed for the last fifty years, and yet the Royal Commissioners have been asked by an estate official to believe, "That the Duke of Sutherland entertains a parental regard for the wellbeing of his people."

In consequence of the grievances thus experienced by the Sutherland fishermen, the fishing industry has actually declined, and must necessarily until harbourage is provided for them. It will be patent that if it were otherwise, better boats would be provided, and the feeling of security thus gained would enable the fishermen to prosecute their calling with advantage and success.

I now feel compelled to make a statement as to the possibility of providing harbours for the fishermen who skirt the seaboard of the Sutherland estate, from the *known* refusal of the Sutherland family to permit second parties, under any conditions, to build harbours in the interests of the fishing community, as such erections with their results might infringe upon their proprietary rights. I make this statement on account of the refusal of the offer made by the late Mr. Bremner, of Wick, to erect a harbour at Portskerry. I submit, then, that as there does not seem to be any change in this policy of indifference—on the part of the proprietor or of his officials—to the wellbeing of the representatives of the people, who sixty years ago were evicted from their large holdings in the straths, in order that they "might reap the wealth of the ocean," representations should be made to Government, in order that by a special arrangement with the Scotch Fishery Board, harbour accommodation may be provided for the Sutherland fishermen. Circumstances may conspire to induce the Duke of Sutherland to offer to Government his proprietary rights, in order that they may spend public money in the construction of harbours for the benefit of the resident and fishing population; which means that the British tax-payer will step in to remedy the grievous mismanagement and reckless expenditure of the Sutherland estates, and this not in the interests of the 40 sheep farmers who have hitherto enjoyed the benefit of the hundreds of thousands already expended, but because there are 15,000 loyal and industrious British subjects resident in the county, who have suffered from the dire

LXX.
 —
 Rev. William
 Hall Telford,
 Reston.

effects of studied neglect at the hands of the proprietor and his officials, who would fain have the people keep silence, accounting them to be but *step-children*, entitled to no heritage in the resources or privileges of their mother land.

XII.—*Remedies.*

It follows that any satisfactory dealing with this whole question must embrace,—

I. Compensation for improvements.

II. Conditional fixity of tenure, or leases with the right to make the lease an asset.

III. The providing of harbours as already referred to.

IV. No solution of the Land grievance will be satisfactory that does not in some way give additional land to the people. This necessarily involves the breaking up of some of the large farms; but I am assured that the granting of this, with the outlay necessary to its realization, would result in a doubling of the rental of the straths aforesaid.

In conclusion, it will be apparent to your Royal Commission that the present state of matters in Sutherlandshire has arisen from gross mismanagement and mistaken idea of improvement. If it continues, the results will be most disastrous in the way of denuding the country of its best and most loyal sons, and of embittering the relations between landlord and tenant, and thereby inaugurating a social discontent which may have serious issues.

And the day may come when some other may be compelled to reiterate the words of General Lake at Castlebar, "If I had my brave and honest Reays here, this would no have happened."

WILLIAM H. TELFORD.

LXXI.

STATEMENT by KENNETH MACKENZIE, Crofter, Scoraig,
Ross-shire.

(See Evidence, p. 1772.)

LXXI.

Kenneth
Mackenzie,
Scoraig.

LOTS OF SCORAIG, 2nd October 1883.

I regret that, in consequence of misunderstanding the purport of the question put to me by the Royal Commissioners, when giving evidence before them at Ullapool on the 30th of July last, I did there and then erroneously state that the proprietor had never given any assistance to the crofters here in building their houses, or in making any other improvements.

Sincerely indulging the hope that it is not yet too late to retract that misstatement, I beg to take this opportunity of declaring that the present proprietor of the estate of Dundonnell, as well as his immediate predecessors, had not only given timber free of any charge whatever for the building of their tenants houses, and the repairing and constructing of their boats, &c., but have also granted various sums of money for the same benevolent purpose.

Evidence,
Q. 27781.

His
X
cross. KENNETH MACKENZIE, Crofter, Lots of Scoraig.

Archibald M'Niven, *witness.*

John M'Iver, *do.*

Duncan M'Gregor, *do.*

LXXII.

LXXII. STATEMENT by JOHN BARCLAY, Public Accountant, Inverness.

Mr John
Barclay,
Inverness.

INVERNESS, 13th October 1883.

The Reay country, embracing the parishes of Tongue, Durness, and Eddrachilles, having been acquired by the noble family of Sutherland by purchase from Lord Reay in 1829, I entered the service of that family the following year as accountant, &c., in the office of the Tongue division of the Sutherland estates, from which I retired, on my own solicitation, at Whitsunday 1865, after a service of thirty-five years. Besides the duties belonging to that office, I had to discharge those of Justice of Peace Clerk and Road Trustee, Treasurer and Clerk for the Reay district, as well as those of Actuary for the Tongue branch of the Sutherland Savings' Bank, and those also of other offices, for a very considerable portion of these thirty-five years. I was, in fact, a recluse, and to relieve the irksomeness of arduous toil I followed the bent of my mind for statistical information, in which I had peculiar opportunities as regards agricultural affairs, having had through my hands the accounts of some sixteen sheep and corn farms, and from having also had close and minute dealings with the general estate arrangements with the numerous small tenantry and others belonging to the district in which I was placed.

A portion of these statistical compilations of mine was submitted in 1849 to the late Mr Loch, senior; and this part, with a very considerable extension, was also submitted, in 1855, through a gentleman of position and eminence, to the late Duke of Sutherland and to Mr George Loch. Along with these documents there was also submitted a statement, which embodied averments having application not only to Sutherland, but also to the whole Highlands; and with regard to which His Grace the late Duke of Sutherland gave expression, in a letter to the gentleman I have referred to (14th November 1855), to his opinion of my first compilation, in the following terms:—

'The next after that which took my letter to you brought the packet from London of Statistics. It appears to me to be a wonderful collection, which must have required most earnest desire to master the subject; a great sacrifice of time and close application of mind; extraordinary diligence and perseverance in an arduous work; and that I have very great reason to be grateful for it.'

Having been requested to come before this Commission here, I deem it now my duty, in the circumstances in which I have been placed, to lay that part of my labours having reference to the subject of this inquiry before your Lordship and the other members of this Royal Commission, in defence of the position I have taken, and in vindication of the interests of those other proprietors and people which I humbly conceive my labours were then, as they are now, calculated to serve at the present juncture.

This much here about myself and my work, which I have felt myself called on to narrate, as I am only known to one member of this Royal Commission.

In that statement referred to as having been submitted in 1855, I undertook

to show from documents, and by living testimony, and from inspection of the grounds—

1. That the large sheep farm system did not produce a gradual improvement of the soil, but tended rather, in Sutherland, the opposite way; that from leaving almost all the operations to the work of nature, the fund of home industry was reduced to a minimum; and that, by locking up the more improvable parts from cultivation, the losses to the estate and to the people were manifold.

2. That about *one-tenth* of the *productive* acreage on His Grace's estates then occupied in permanent pasture was capable of profitable cultivation; that ground in cultivation, at a ratio of one acre in tillage to every nine in pasture, afforded nearly ten times as much home labour as when exclusively in pasture; that the union of culture with pasture farming increased the productive powers of both the cultivated and pasture lands vastly, supplying, what is otherwise not the case, a continuous and unstinted quantity of food to the stock throughout the year; and that by this combination results were obtainable of the highest benefit,—to the landlord and the tenant in enhanced rents and profits, and to the artizan and labourer in full home employment.

3. That, by breaking up the large farms into a gradation of sizes, the pressure upon the small tenants would be at once relaxed, by affording them extended means for improving the soil, and for obtaining labour at home to sustain their families—so much so, that the result would be a progressively increasing rental from the lands newly brought under cultivation, and also an increased rental, immediately, from the old cultivated lands then held by the small tenants, since they, under such a system, would (what they then could not) be in a position to pay a fair rent for their lands, out of the surplus value of produce, after the due maintenance of their families.

4. That under such a system of subdivision a great number of the labouring population, not directly engaged in agriculture, would be absorbed in the various trades and employments connected with, and contingent upon, farming operations; and that claimants for parochial relief would necessarily be greatly reduced, in point of numbers, from the higher level to which the general body of the community would be raised in their means for supporting themselves and their relatives.

5. That *many* of His Grace's small tenants had, under circumstances much less advantageous than those assumed in the system above suggested, doubled, and in some cases tripled, the value of their lots, by improvements, within the last twenty-five years; and that, as a general rule, the native people over His Grace's whole domains had, whenever any extra means came into their hands, thrown the greater part of it unreservedly into buildings and improvements of the soil.

6. That were His Grace to see it proper to adopt a well-considered system of division, the great body of his people would hail his resolve as one which would afford them the means for enabling them to work out a comfortable home for themselves and their families, with an increased revenue to His Grace; and that they would earnestly exert themselves until they had, as a general rule, accomplished their object; and that the fruits of such a system would be soon apparent to all, in the great benefits that would arise from it to His Grace and to his people, and to the country at large.

And, as regards *game*, I now beg leave to add this further averment, which extended opportunities since I left His Grace's service have afforded me of being able to affirm—namely, that wherever cultivation and cover, particularly wooded cover, co-exist most extensively in the Highlands, there do game and deer most abound, both in *numbers* and *variety*, as well as in *prolonged* and *easier* opportunities for sport.

I take the following examples, among others, in the northern counties of

LXXII.

Mr John
Barclay,
Inverness.

LXXII.

Mr John
Barclay,
Inverness.

which I am cognisant:—(1.) *Dornoch*, a sea-bounded parish on the north, east, and south, having the parishes of Creich and Rogart on the west. By running a line from the Mound on the Little Ferry on the north, across to the boundary of the parish on the Meikle Ferry on the south, the portion which I have indicated will contain about 20,000 acres, about one-fourth of which is cultivated or in permanent pasture, under holdings ranging from two to 500 acres, but more than nineteen-twentieths of those holders are crofters and small tenantry located over this whole section; about another fourth is covered with planted wood, mostly from sixty to ten years' growth, intersecting the cultivated lands, and spreading over the whole extent; and the remaining half of 10,000 acres is heathery moorland, also interspersed with and adjacent to the cultivated grounds and woods. The population on this district is, or was not many years ago, nearly 3000, one-half of whom may be in Dornoch and the fishing village of Embo, and the remainder of about 1500 reside on their landward holdings. On these grounds are to be found red deer, roe, and fallow deer, grouse, black-game, woodcock, snipe, pheasants, and partridge; also duck, wood pigeon, and hares and rabbits in abundance. In the estuaries of the adjoining ferries are seal and a variety of sea-fowl. In every portion of these grounds red deer are to be found in, and on the margins of, the woods to within less than a mile of Dornoch, and along the ferry sides and the public roads.

(2.) *Abernethy*, in Strathspey—an inland parish with extensive cultivation, and planted wood and moorland, with a resident farming population also widely spread. In an hour's drive in the close neighbourhood of the village of Nethy, I, along with another, have lately seen in the woods there two small herds of red deer rising from their lairs within eighty yards of where we were passing, and they scarcely seemed to heed our intrusion, as they did not leave the place where they lay; and

(3.) Other districts are known to me where, with cultivation and cover, game is equally abundant,—such as *Golspie* in Sutherland, and the parishes of *Banff* and *Boynadie* on the estates of the Earls of Fife and Seafield.

Observation and experience over a period of sixty years convince me that the presence of deer and game on lands having cultivation and cover is quite compatible, under proper regulation, with the presence of a numerous agricultural population, and that wastes and solitudes do not furnish the same sporting advantages, either as regards numbers, variety, access, or opportunity.

I now proceed to lay before you the documentary and other evidence having reference to the several points alluded to in the foregoing statement by me.

1st. *General Principle.*

From Mr Sanderson's (of 15 Manchester Buildings, Westminster),
Letter to the *Times*, dated 25th September 1865.

' All barley and root-producing and sheep-carrying soils yield more value under a regular tillage course than they would under grass, therefore the extension of grass on such soils is not desirable.

' As a rule in farming, however, it is unprofitable to adhere to one description of produce whatever it is; and the most successful farming is that which yields the greatest variety—corn, beef, mutton, and wool.

2nd. *Advantages of Mixed Farming.*

Extract from the General Observations on the County of Roxburgh in
the Statistical Account of Scotland, in 1841.

' It is a remarkable fact, that on a farm, we will suppose, of 1800 acres, which towards the close of the last century was devoted almost entirely to sheep pasture, there may be now from 500 to 600 acres in regular rotation of

'crops, while the number of sheep kept upon the farm has been in no degree diminished, and these are kept and fed in a far superior manner. The number of sheep at the close of last century, compared with that at the present time in the finest district of the country, the same gentleman whom I have quoted above, calculates as about 3 to 4; and the weight in the present time cannot be taken, he thinks, at much less than double that of the former period.'

It would thus appear from this extract that mixed, as compared with pasture farming, produced nearly eight times as much weight in mutton, and, doubtless, correspondingly in wool, though no reference is made to that article, besides all the corn and cattle produced on the cultivated portion of the farm.

3rd. *Small or Crofter Farming as compared with large Pastoral Farming.*

Valuation of the portion of the Parish of Reay in Caithness, furnished by Mr Millar, valuation clerk.

No.	Proprietors.	Periods.			Remarks by the Writer.
		1814.	1830.	1855-56.	
1	Sir John Gordon Sinclair,	£1250 0 0	£1294 12 8	£1325 4 0	Chiefly if not wholly pasture.
2	Captain Macdonald, .	762 7 0	869 13 4	1152 4 0	Partly pasture and partly improved.
3	The Crown,	70 0 0	94 0 0	150 0 0	Chiefly if not wholly pasture.
4	James Sinclair of Forss, .	209 0 0	404 10 0	634 5 0	Improved by crofting and otherwise, and rental tripled in 40 years.

Percentage increase on rental of pasture farming as on No. 1, for Period from 1814 to 1855,—6.
Do. do. on crofter and arable do. as on No. 4, for do., 203.

In comparing the advance in values between 1814 and 1855-6, on the Forss estate, above noted, it has to be kept in view that the rent of land was at the former period proportionally higher than it was in 1855, and that, were the means in existence for drawing out a fair comparison, the percentage increase would show a still larger amount than is here stated; and in such cases as those on Forss, where land has been reclaimed and houses built principally at the tenant's own expense, the increase to the landlord is still farther enhanced, by having saved this outlay which he would have made, besides the additional gain to the property from increased employment and greater comfort to the labouring classes, and consequent decrease of claims for parochial relief.

Sir John Gordon Sinclair's property (being No. 1 in preceding Table), or the greater part of it, which was formerly in pasture, was subdivided about 1857, and the rise on its rental in consequence was, *on entry*, nearly 100 per cent.; and at the end of the then current leases, which were granted on improving conditions, another great increase will doubtless have occurred. I believe this estate is still under the management of Mr Tait, the gentleman who so ably arranged the first subdivision.

4th. *Extent and Rent of Sutherland Crofters and Small Tenantry Holdings, &c.*

Extract from Mr James M'Donald's Report of the Agriculture of the County of Sutherland in 1880.

'According to the returns collected by the Highland and Agricultural

LXXII.
Mr John
Barclay,
Inverness.

' Society in 1853, there were at that time in the county of Sutherland 2680
' crofters. . . . The total extent of hill and arable land held by these 2680
' crofters was estimated at 106,864 acres, of which 10,276 $\frac{3}{4}$ was given as
' arable. . . . Crofters pay from 15s. to 20s. of rent per arable acre, including
' hill grazings.'

These 10,276 $\frac{3}{4}$ arable acres in 1853, which Mr M'Donald refers to, are now increased by perhaps fully 700 acres within the last 30 years, making an estimated total now of 11,000 acres or thereby, or fully one acre cultivated to nine in pasture, which, at the mean of the above quoted rates, give a rent of 17s. 6d. per acre, or a total rental of £9625; and which amount, divided over the total acreage of 106,864 occupied by the small tenantry, yields an average rent for cultivated and pasture lands of fully 1s. 9 $\frac{1}{2}$ d. per acre. This corresponds to within 2 $\frac{1}{2}$ d. per acre with my estimate of mixed farming rents made in 1855, and presented in a table following, setting aside the value saved by the personal outlays of the small tenantry in buildings and other improvements. These buildings and improvements have been so very considerable within the last sixty years as in many cases to exceed the purchase price, on their first entry by the tenants, of the lands occupied by them; and would, it is believed, amount to such a sum as, if capitalised, would yield an annual rent exceeding very considerably £5000; making, at that amount, when added to the rental above noted, a total nearly approaching £15,000, or a sum equivalent to the rental paid for the whole of the sheep grounds on the Sutherland estates at the time I gave in my statement in 1855. Thus it would appear that the small tenantry on the Sutherland estates are yielding an amount for about one-tenth of His Grace's lands—lands not considered equal in quality to his other pastoral acres—corresponding very closely to the whole pastoral farmers' rents in 1855 for the other nine-tenths of nearly one million of acres, or fully more than one-half the whole rents now paid by the pastoral farmers!

This result, taking every circumstance into account, exhibits an effort by a people that I humbly believe has no parallel in the agricultural annals of Scotland.

The table now following (and which was also submitted along with my statement, already referred to) formulates the gross raw produce per acre of Sutherland grounds under pastoral and mixed farming. It exhibits, to the best of my judgment, a correct estimate of income and expense at the rates current in 1855, and of the approximate amounts, divided into expenses, tenants' profits, and rent, under the two several modes of farming.

The changes on these rates at the present time are—on mutton produce, a very great increase, and wool being very considerable on an average of years, although much the same now as prices were for that commodity in 1855, and on outlay a very large increase also, particularly on wintering, which is now fully 150 per cent. more than prior to 1850; but this table may be taken, in its results of surplus for tenants' profit and for rent, as not being greatly different from those of recent years. Premising further that the produce for pastoral farming is stated full, while that for the cultivated portion of mixed farming, on the other hand, is set down at a low rate, purposely to obviate any charge that I had magnified the latter at the expense of pastoral farming.

ESTIMATED ANNUAL VALUE OF RAW PRODUCE FROM EACH IMPERIAL
ACRE OF HIGHLAND SHEEP GROUNDS, HILL AND DALE COM-
BINED.

LXXII.

Mr John
Barclay,
Inverness.

Under Two Modes of Management, as in 1855.

N.B.—Seven acres hill and dale, of hill grounds, are required for each
stock sheep, and each produces 14s., that is equal to 2s. per
acre, or for nine acres,

£0 18 0	
And an acre under cultivation produces, on an average,	3 10 0

Together, £4 8 0

or equal to 8s. 9½d. for each of ten acres under System No. II. below.

Divisions.	I. Under sheep farm- ing at present rents.	II. Under mixed farm- ing with one acre in ten under tillage.	Remarks.
I.—EXPENSES—			
1. Circulating at home, in wages, clipping, and smearing, &c.,	£0 0 3	£0 3 0	These outlays under System II. would afford permanent home labour to the people, not tak- ing into account the great first outlay in reclaiming the land and furnishing the neces- sary roads, farm buildings, &c.
2. Circulating abroad or beyond the locality in shepherds' meal, smear- ing materials, turnip win- tering, herdings at tur- nips, travelling expenses, &c.,	0 0 4	0 0 9½	
3. Consumed by the shepherds' horses, &c., on the farm,	0 0 0½	0 1 0	
Total expenses,	£0 0 7½	£0 4 9½	
II. TENANTS' PROFIT—	0 0 11½	0 2 0	Greatly more capital is re- quired by the farmer under System II., and the 2s., per acre is estimated to yield him 15 per cent. thereon.
III. FOR RENT AND TAXES (road money and school salary),	0 0 5	0 2 0	The portion for rent under No. II. (mixed farming) is nearly five-fold that for No. I. or pastoral farming.
Raw produce per acre,	£0 2 0	£0 8 9½	

NOTE.—The values both of sheep and wool have risen very considerably since this estimate was first prepared, as have also the outlays, particularly those for wintering, which have risen fully 150 per cent.

It will have been seen from the evidence already submitted to this Royal Commission that mixed farming in other parts of the Highlands gives even a higher rent per acre than the 2s. stated by me in this table. His Grace of Sutherland's small tenantry rents would exceed that amount very greatly were the value of their improvements taken into account, and full effect given to the value of the grounds occupied by them on the old Sutherland estates, as these generally are very moderately rented, or were so when I knew them in 1855 ;

LXXII.
Mr John
Barclay,
Inverness.

but the Reay country proper and the Bighouse estate then paid considerably higher, although the former—that is, the Reay country—on its acquisition by the Sutherland family, got an average permanent reduction of $17\frac{1}{2}$ per cent., some receiving 30 and others 10 on the hundred pounds.

It will also be found that in those districts in Sutherland where least change had taken place in the way of removals prior to 1820, there the rental is much higher, as, for example, Dornoch, where every acre, cultivated and moorland, yields a yearly rent of 3s. 6d., while its value per acre for game and angling may be about 9d. In short, taking the capitalised value of the tenantry improvements on this parish, they are paying a rent very close on the feu rents obtained by Mr McKay for his lands at Rosehall, namely, 5s. per acre, or a sum for three years' amount, of 15s., that would meet the purchase price of the Sutherland sheep lands at the now stated rents of 6d. or 7d. per acre. And so of Creich and Rogart.

The total acreage of Sutherlandshire is estimated at, on a base line	1,800,000
but with inequalities of surface it is calculated to be fully one-sixth more, or about $1\frac{1}{2}$ millions.	

And after making an allowance for bare mountain tops and other totally unproductive acres in lochs, foreshores, and roads of, say	200,000
---	---------

there remains of productive land	1,100,000
--	-----------

acres. Whereof I have estimated there are from 100,000 to 110,000 capable of profitable cultivation; and of this extent about 31,000 is already cultivated, so that there would appear to remain somewhat over 70,000 acres still to be reclaimed. Mr Macdonald states the whole acreage, cultivated and reclaimable, to be about 48,300, leaving, in this way, only about 17,000 to reclaim. A statement such as this, I humbly think, could not have come but from one who had not taken a full survey of the county. For by taking the district, beginning at Loch Erribol on the west, and coastways to Baligill on the east boundary of Farr, and proceeding southward to the Kyle of Sutherland, on lines running parallel from those points, this great central belt, embracing the parishes of Tongue, Farr, and Lairg, with a small portion of Creich, I estimate as containing more than twice the number of acres Mr Macdonald has stated—that is 40,000 acres at least—for this area embraces the great Shin basin, which contains within its mountain ranges, and rising from its loch sides at an elevation of 270 to 600 feet landward, an extent of reclaimable land, with that already under cultivation, capable, under an ordinary five-shift course, of wintering the whole hog-sheep on the Sutherland sheep farms usually sent to other grounds for that purpose. Mr Macdonald, as already said, has stated the total reclaimable acres at 48,300. Fullerton, in his *Geographical Dictionary of Scotland*, has made them 150,000, and I, in my original statement, as being from 100,000 to 110,000.

That estimate was made by me after using the best information I could obtain, and with a desire not to overstate the extent. Further, that number did not embrace an acre at an elevation above 600 feet from the sea-level—that is a height not more than half as high as are cultivated lands in the districts of Braemar and Kingussie, where arable farming is carried on at heights of 1200 feet.

The area of the northern counties, with Shetland and Orkney included—that is from Shetland to Argyle, is stated to be about	11,381,646 acres,
And that of the eastern counties having Highland districts, that is Aberdeen, Banff, Moray, and Nairn, is also stated to be	2,177,344 „

Together,	13,558,990 „
---------------------	--------------

	Brought forward, £13,558,990 acres.	LXXII.
And the extent under cultivation in these districts, about		Mr John Barclay,
ten years ago, was about	1,800,000 „	Inverness
Leaving thus in their natural state	11,758,990 „	
or nearly 12,000,000 acres.		

I have estimated that at least one-twelfth, or 1,000,000 acres, are capable of profitable reclamation; and that while some counties may have about one-half, such as Caithness, and others 1 in 10 and 1 in 25 acres so capable, still, it may be pretty safely stated that the Sutherland average of 1 in 10 acres can, over all, be reclaimed.

A Sutherland small or crofter farm, leased upon the system I have tabulated, and having half a mile in extent, or 320 acres, in pasture and cultivation, would stand somewhat like this in its annual returns:—

I. *When first taken up out of Pasture Lands of Average Quality.*

Produce—

4 acres of old cultivated land (produce of which large) at £5,	£20 0 0
316 acres in pasture, carrying 45 sheep at return from	
— each, after loss, of 10s.,	22 10 0
320 acres.	
Poultry (kept in common barn door way),	4 10 0
Good, from having free house, peat fuel, and garden and	
water, but which would be payable in a town, .	16 0 0
Total raw produce, being 4s. per acre,	£63 0 0

Outlay—

Rent and landlord's taxes for cultivated land,	
4 acres at 16s.,	£3 4 0
316 acres at sheep farm average rate of 6d.	
per acre,	7 16 0
	11 0 0
Balance in money and good for family maintenance, outlays	
of farm, and interest of capital, .	£52 0 0

II. *When Improved to the Extent of 1 acre in 10 of same Quality as No. I.*

Produce—

32 acres cultivated land at £3, 10s.,	£112 0 0
288 acres in pasture, carrying 50 sheep at return from each,	
— after loss, of 11s. 6d., .	28 15 0
320 acres.	
Poultry (kept in ordinary barn door way),	6 5 0
Good, from having free house, peat fuel, and garden and	
water, but which would have to be paid for in town, .	16 0 0
Total raw produce, being 10s. 2¼d, per acre, .	£163 0 0

Outlay—

Rent and landlord's taxes for cultivated land,	
32 acres at 16s.,	£25 12 0
288 acres at 6d, as above,	7 4 0
	32 16 0
Balance in money and good, for family maintenance, outlays	
of farm, and interest of capital, .	£130 4 0

Croft No. I. would thus leave the tenant in money and money's value £1, and No. II. would leave fully £2, 10s. per week.

In the foregoing estimate of produce from a crofter's holding, I have set

LXXII.
 —
 Mr John
 Barclay,
 Inverness.

down the portion earned from poultry as is now ordinarily obtained, but far better returns can be got by more systematic husbanding. In fact, these at first are incredibly great, until one deals with the matter with arithmetical closeness. Seeing this, and knowing something about these 'little folk,' I deem it right to lay before you the following facts:—That the tending of poultry is a domestic concern in which the child of four to the grandam of eighty years take a part; that the capital invested is only about *one-twentieth* of that required for sheep of equal producing capacity; that such stock by good management produces much more than any other live stock on the farm, and that a well-conducted henyery could be made to produce largely in increasing the means of the crofter, and that the work of tending is family home work, and the extra saleable food, as corn, &c., given this sort of stock yields a better and easier return than when sold off the croft. Further, that the people are already trained to the business; that Orkney shipped to Leith, fifty years ago, £2500 worth annually of eggs, and that very recently I saw a statement (which I regret it is not in my power to lay before you) showing a prodigious increase on the above amount for exported eggs last year from that place. Again, I have read that some eight years ago France sent annually to Britain upwards of six hundred millions of eggs, yielding some two millions of British money; and that, having ate French eggs, I can avouch that we of the north could send them to the English market larger, better, and fresher than those that come from France. Still further, it may be taken as within the mark to say that *three* hens fairly well tended will return as much profit as *two* sheep; and that by the time the ewe lamb has come to have a lamb of her own a single hen will have laid as many eggs as, if hatched, would produce and reproduce, I shall say, to be on sure ground, 800 fowls! This seemingly small affair has much in it in connection with the economy of small farming, and on that ground I respectfully submit my views for your consideration.

Sutherland (and I take that county as an example for the whole Highlands) contains at least 1600 square miles of pasture lands presently under sheep; divided into half-mile farms or crofts these would yield 3200 homes with 320 acres hill and dale attached to each. Highland families average as high in number as six; under such a division her vales and slopes are capable, as I have shown, of maintaining well and as comfortably, in a generation's time, as a high-waged artisan, a population of 19,200, depending all but solely on agriculture: that is a people more numerous than her present rural population who inhabit her borders, and that besides the various other families, from those of the learned professions down to the humblest son of toil, which the equipment of a well-conditioned agricultural community requires. I very humbly conceive that every deserving clansman and every son of the 'broad 'bonneted' men of Scotland has a claim to a position in his country such as I have been indicating, and that not for the purpose of subduing and improving her soil to be engrossed in larger possessions, but as a *settled* and *permanent* member of an order of workers in our State, which I firmly believe can, under proper light and encouragement, educe *better results* from their labours than can any other class of farmers in our land. The region of our Highlands, properly so called, has within its borders means for maintaining a population well nigh double the number of its present inhabitants; and class them as you best may, still I would, through the privilege I enjoy of addressing this Royal Commission, raise my humble voice for giving to that people a broad base in your agricultural grade.

Were I to speculate on the probability of the development of the agriculture in the Highlands in the direction I have been submitting to you in this paper, and of the concurrent progress in other departments having for their object the advancement of the best interests of the Highlands and the Islands of the

North, I would count the cost in a rough general way as likely to be something approaching to the following sums:—

Reclamation of, and roads and buildings for, 1,000,000 acres,	£30,000,000
Stocking, and agricultural schools,	7,500,000
	<hr/>
	£37,500,000
Planting 1½ to 2 millions acres,	7,500,000
Railways, and ferry roadways and bridges,	5,000,000
Coast and refuge harbours, lighthouses, cultivation of shell-fish for bait, &c., in sea lochs, &c.,	5,000,000
	<hr/>
	<u>£55,000,000</u>

LXXII.

Mr John
Barclay,
Inverness.

distributed over the next thirty or forty years.

This does seem a very large sum, but I believe some single lines of railway in England have cost much more. Yet such a consummation as this outlay implies would place the whole Highlands in a position of advancement, such as some districts within its borders already enjoy—as, for example, the estates of Lord Cawdor, the Earl of Moray, Culloden, and Lord Lovat, and the other proprietors on both sides of Inverness, where cultivation and planting are extensive, and coasting harbours in close proximity to these lands, with railway communication passing through them. The afforesting of the large tracts of country would provide an additional source of labour *permanently large*, would give cover to deer and game, would give shelter and food to farming stock, would provide a supply of timber for house and boat-building and farming purposes, so as greatly to cheapen the outlays for all such works, as well as greatly add to the comforts and conveniences of all the inhabitants; moreover, the clothing of our mountain sides and slopes with the verdure of our native pine, and with the larch, and with hard woods, would greatly add to the scenic splendour of the ‘bleak majestic hills’ of this our northern region.

As to agricultural schools, and schools for teaching generally the everyday business of life in the Highlands, I have written urging their need now nearly forty years ago, and I partly succeeded in obtaining my object. Their want has been felt both south and north, and they are now in pretty general requisition.

The improvement and extension of the cultivation of the shell-fish in our sea-lochs on most of the eastern, northern, and western coasts is another very desirable work. I believe I hold the written opinion of a practical man who had visited almost every loch in the Highlands, that those fisheries could be greatly improved and extended, to the advantage of the proprietors and fishermen in particular, and to that of the community generally.

Harbours of refuge on both sides of the Moray Firth, at least, and coasting harbours, where not already built, are a felt want, as the Royal Commissioners, I believe, have been so often told during their present inquiry. The cry of the fishermen and of others interested fills the public ear at the present time. They are not only a local but a national want,—for did not the late Captain Samuel M'Donald state, some years ago, that from the West Highlands there were from among these fishermen then some eight or ten thousand naval volunteers; and is not the safety of the lives and the property of so many thousands of our fishermen and seamen a matter of national concern?

But will all these immense outlays pay? Well, the works of reclamation, and of farming, afforesting, and railway extension are all calculated as being able to do this commercially; but there is beyond all that, I humbly conceive, a great national question. There is the developing of the natural resources

LXXII.
Mr John
Barclay,
Inverness.

of that country which has produced tribes and races peculiarly all its own,—from him with the ‘Heaven-erected face,’ to the mettled *garron*, and the shaggy, the yet unexcelled ox,—there is the counter-working of that revolution, which, through the deluding and inhuman cupidity of selfish men, drove into exile and poverty a brave, a loyal, and an unconquered people; there is the reinstating in their homes the remnant of that same people, whose deeds of renown in war have been equalled, were they fully known, by their laborious toils in the arts of peace; and there is the ‘turning of the eyes to the ‘hills,’ and the walking in the ways of that Divine economy in the subduing and replenishing of the earth—of the which their fathers, and they also, and the rustic fathers of all Scotland, have left so bright an example over the whole face of this our native land.

JOHN BARCLAY

LXXIII.

STATEMENT by JOHN FORSYTH, Esq., Balnagown Estates Office,
Parkhill.

LXXIII.

John Forsyth
Esq.,
Balnagown.

PARKHILL, N.B., November 26, 1883.

Lord Napier asked me at Dingwall what increase of rent Mr George Anderson paid for Kincardine and Ardchornie when he became tenant of these farms. I send with this a statement which shows the rent the late Dr Gordon paid for Kincardine and Ardchornie, also the rents paid by Dr Gordon's sub-tenants to him, with their names. It shows also the rent at which Mr Anderson took Kincardine and Ardchornie, and the rents now paid by the late Dr Gordon's sub-tenants direct to the Balnagown estate. The statement also shows that all of Dr Gordon's tenants are still on the property, with the exception of Alexander M'Lean. He left of his own free will, to prosecute his trade of shoemaker to Bonar village, and as the place he vacated was in the middle of the arable land, it was included in the let to Mr Anderson. Besides the rents paid by Dr Gordon's sub-tenants, they paid him poor-rates, but only those now paying rents of £4, or above, pay rates.

The statement sent shows the increase of rent when Mr Anderson became tenant of Kincardine and Ardchornie to be £10, 8s. 6d.; it also shows that the crofters' rents were reduced considerably. The rent paid by Mr Anderson for Kincardine and Ardchornie is now higher than when his lease commenced, but this is caused by changes since then. There is also an increase of rent on Badvoon, held by Mr Anderson, of £15, but there are no crofters on the farm; it is solely a sheep farm.

JOHN FORSYTH.

Rent paid by the late Dr Gordon for Kincardine and Ardchornie; also for
Meal Mill—

Kincardine and Ardchornie rent,	.	.	.	£115	0	0
Meal Mill,	.	.	.	50	0	0
				£165	0	0

Rents paid by Dr Gordon's sub-tenants to him, with their names—

Kenneth M'Nab,	.	.	.	£4	14	0
Alexander Campbell,	.	.	.	4	15	0
Finlay Macrae,	.	.	.	2	0	0
Alexander Fraser,	.	.	.	10	0	0
Ann Macgregor,	.	.	.	0	10	0
John M'Leod,	.	.	.	4	4	0
Donald Ross 'Gow,'	.	.	.	5	0	0
Alexander Ross,	.	.	.	1	0	0

Carry forward, . £32 3 0 £165 0 0

LXXIII.
John Forsyth,
Esq.,
Balnagowan.

	Brought forward,	£32 3 0	£165 0 0
Janet Ross 'Callum,'	.	1 0 0	
David Ross,	.	2 0 0	
William M'Kay,	.	1 0 0	
Alexander M'Lean,	.	6 0 0	
David Murray, for Meal Mill,	.	37 0 0	
		<u>£79 3 0</u>	

Rent at which Mr George Anderson, Bonar, became tenant of Kincardine and Ardechronie, but not including Meal Mill, £108 0 0

Rents now paid by Dr Gordon's sub-tenants direct to Balnagowan—

Kenneth M'Nabb,	.	£4 14 0
Alexander Campbell,	.	4 5 0
Finlay Macrae,	.	1 10 0
Alexander Fraser,	.	8 15 0
Ann Macgregor,	.	0 5 0
John M'Leod,	.	3 15 6
Donald Ross 'Gow,'	.	3 4 0
Alexander Ross,	.	1 0 0
Janet Ross 'Callum,'	.	1 0 0
David Ross,	.	1 10 0
William M'Kay,	.	0 10 0
David Murray, for Meal Mill,	.	37 0 0

£67 8 6

Add Mr George Anderson's rent, as above, 108 0 0

175 8 6

Total increase of rent on let of farm and crofts, £10 8 6

LXXIV.

PETITION from 400 Fishermen of Easter Ross.

LXXIV.

Petition from
400 Fishermen
of Easter Ross

Unto the Royal Commissioners of Inquiry for the Highlands and Islands of Scotland.

The Petition of the undersigned four hundred fishermen residing in Hilton, Balintore, and Park, in the parish of Tearn, and Shandwick in the parish of Nigg, and of other influential gentlemen residing in the neighbourhood of the said villages, hereby most humbly and respectfully sheweth—

1. That the aforesaid fishing villages are in close proximity to each other, and that the inhabitants thereof have no land, but depend almost entirely on the fishing industry.

2. That, both for the encouragement of the said industry, and safety and convenience of the fishermen, there is neither a *suitable harbour* nor a *pier* at any of these villages.

3. That, in consequence of these two wants, your petitioners cannot use their deep sea-going boats except at the time of the herring fishing, and when stationed in other harbours, but must, during the rest of the year, use small boats of about 16 feet in length, which must be daily hauled beyond water-mark.

4. That, as these small boats must be used in winter, our lives are very often imperilled, and our industry is very much hindered.

5. That, as there is no harbour on the Ross-shire side between Cromarty and Portmahomack, having a sea-coast of about fourteen miles, a suitable harbour at any of the said villages would, besides promoting local industry, be most convenient for any ship or boat in distress in the Moray Firth to run into.

6. May it therefore please you, lords and gentlemen, to take the foregoing statement into your honourable consideration ; to consider our grievances ; to place our humble request on your record ; and to recommend strongly to Parliament to have a suitable harbour and pier erected here to advance the industry of the place, to have a place of safety for all ships, and to enable us to ameliorate our condition and make a decent livelihood.

And your petitioners, as in duty bound, shall ever pray

Signed by 400 fishermen

October 1883.

LXXV.

LXXV.

STATEMENT by ANDREW SMITH, Esq., Law Agent, Dingwall.

Andrew Smith,
Esq., Dingwall.

DINGWALL, 13th October 1883.

Evidence,
p. 2620.Evidence,
p. 2627.

I observe from the newspaper reports of the evidence given before the Royal Commission at Dingwall, on Wednesday last, that two of the delegates from the Heights of Strathpeffer made some remarks which concern me as law agent for Her Grace the Duchess of Sutherland and Countess of Cromarty. Donald Macdonald, Heights of Strathpeffer, stated that "five or six of the crofters that could sign their names received their leases at once, and all others were told to go to the estate law agent, Mr Smith, Dingwall, where they got the leases signed, each tenant paying Mr Smith ten shillings, but none of them ever received their leases, although they had made repeated application for them." John Rose, Heights of Inchvanie, repeats this statement.

The matter is a small one, but as the statement is inaccurate, and is calculated at the first glance to give rise to an entirely erroneous impression that an injustice was done to the crofters, I think it right that the true state of the case should be laid before your Lordship and the other members of the Royal Commission.

In the first place, the leases referred to were signed in 1860, when it was requisite that two notaries should subscribe a deed on behalf of a person who could not write. The ten shillings alluded to by the delegates were not paid by these crofters to me, but to the notaries who were employed by them to sign their leases for them; I am not a notary, and I received no part of this money, nor did I make any charge whatever against the tenants for my services in the matter. I have reason to believe that the delegates who made this misleading statement were quite aware how the case really stood.

With regard to the statement that the leases so signed were not received by the tenants, I beg to explain that these leases consisted of printed forms, and were all in the same terms. The tenants' names and the description of their holding were filled into them in the office of the late Mr Scott, then factor on the Cromarty estates, and, in the case of those crofters who could not write, he sent the printed forms to me that I might superintend their notarial execution. This was all I had to do in the matter, and on the leases being signed they were all returned by me to Mr Scott to be completed. I have no doubt that he duly handed duplicates or copies of them to the tenants, and the fact that the principal copies of the leases—whether signed by the crofters themselves or notarially—are still in the Cromarty Estates Office, while the duplicates are not, shows that this must have been done. The admission of the delegates that the crofters who could write got their leases (duplicates), also supports this, as Mr Scott could have no reason for making a distinction between the tenants who could write and those who could not.

But in any case this pretended "grievance" is a purely fanciful one, for, as is well known, the leases, on being executed, constituted at once a good and binding title in favour of the crofters, who, in point of fact, possessed under and

derived the benefit of them, during their whole currency, as much as if they had held them in their own hands. The principal lease is, in Scotland, always retained by the proprietor; the delivery of a copy to the tenant is not required to make it binding, and where the lease is printed, and its terms well known, there is no object to be served, even of convenience, in the tenant getting such a copy. LXXV.
Andrew Smith,
Esq., Dingwall.

As to Macdonald's statement that he applied to me five times for his lease, and was referred by me to Mr Scott, and by Mr Scott to me, I have no recollection of this, and I am quite certain the statement is erroneous. Evidence,
Q. 40265,
p. 2620 (5).

ANDW. SMITH.

LXXVI.

LXXVI.

STATEMENT by WILLIAM BRUCE, Esq., M.D., Dingwall.

W. Bruce,
Esq., M.D.,
Dingwall.

DINGWALL, 12th December 1883.

I beg leave to lay the accompanying statement before you, and I trouble you on the plea that I was cited to give evidence at Dingwall, but from want of time I did not get an opportunity to do so.

I have had considerable experience of east coast fishermen, and happened to learn that they had at one time combined farming with fishing. In order to make quite sure of this I wrote to a fisherman friend lately inquiring more particularly as to tenure, &c. He could not give me any information on these points, but he told me that the old men of the village where he lived told him that at one time the fishermen had each a plot of ground; that it lay in a particular locality, and was shifted when the village itself was removed. He also spoke of a neighbouring village, from which (he said) a valuable piece of land was taken away and a worthless portion given in its stead fit only to grow willows.

I need scarcely add that the fishermen lament the loss of their lands, and believe they would be of great advantage to them at present, and that I hold such a belief to be fallacious, and that they would not be so thriving as they now undoubtedly are if they had what they desired. These fishermen, particularly in some villages, have much improved within my recollection. Indeed, twenty-five or thirty years ago, in many instances, I am convinced, they were as far behind to-day as they are at present in many parts of the west coast. Education, going to sea, and teetotalism have been the main agents in their improvement. At the present day many of these people practically fish all the year round, going in the spring to Lewis, Harris, &c., and then back to their own coasts, from there to Lowestoft, Yarmouth, and other places on the English coast, and home once more for the winter white-fishing and preparing their nets and boats for another season.

It is often said that west coast fishermen are lazy, and many reasons, such as that of race, or even the comparative safety of fishing, have been given to account for this unfortunate state of things. Cheapness and abundance of food, and, of course, inherited tendencies, have much to do with it; but the writer believes the difference in energy to be mainly owing to the nearness or remoteness of the markets in the two cases. On the east coast there has been, from the presence of a large inland population, always a ready sale for fish. Thirty or more years ago this was chiefly, on the north-east coast at least, by way of barter, but was none the less liked by the fisher folk. Now they have got railways, and a steady demand at all seasons.

Give the west coast fisherman equivalent means of transporting his commodities and in time he will become as industrious as his east coast relation. It humbly seems to the writer that the only way to secure this is by establishing a west coast steam shipping company on the lines of the East Coast Railway, viz., a daily service of steamers from end to end of the land, calling, as a matter of course, at every small (fishing) station once a day or oftener.

One considerable drawback to the concentration of fishers in villages on the

east coast I found, when practising among them, to be disease and death among their children. Thinking the Commissioners would be interested in a comparative view of the sicknesses and diseases of the inhabitants on either side of Scotland, I have tried to collect information from medical men and statistics from registrars. These data are not easy to obtain. A wise government has by law compelled medical men to certify the cause of death of every patient they may happen to see. This of course entails loss of time, trouble, and the expense of postage to the poor doctor. Will it be believed that the same government actually makes no use whatever of this information, and refuses to be at the expense of publishing bills of mortality in Scotland except in the case of the eight large towns. The registrars of one west highland and two east coast parishes have, however, obliged me by furnishing returns, and I give below a comparison founded on this limited amount of data.

LXXVI.

W. Bruce,
Esq., M.D.,
Dingwall.

The Commissioners will notice (first) that the mortality among children below the age of five is nearly *three* times as much among *east coast fishermen* as compared with *west coast fishermen and crofters*. Second, that, contrary to what has been often alleged, consumption is much more frequent on the *west coast*. (Query—Do west coast migrants catch the disease in the south and return to die? and, if so, is this from *contagion*—according to a well-known law that such immigrants are more liable to be infected than residents—or is it from the confined (and poisonous) air they are compelled to breath in the dens of our great cities?) Third, Epidemics are not so frequent but are probably equally fatal on the west as on the east coast. Certainly my returns show diphtheria to have been very fatal on the west coast. Fourth, In both groups many of the natives live to beyond seventy. Fifth, Dyspepsia is very common. With reference to the second head or infant mortality, my correspondents and myself agree that the main cause is the want of a steady and proper supply of milk. I am happy to hear that in Kincardineshire farmers find it to be to their profit to meet this demand, and are supplying milk in abundance to neighbouring fishing villages. Doubtless, by and by, this will be the rule all over the east coast. Another project has been set on foot in *Forfarshire*, which, if it were extended to the west coast, would be of very great value to older children. Dyspepsia, as I have said, is a very common and a very depressing disease amongst crofters and fishermen generally. I attribute a great deal of this to improper feeding at the young and growing time of life, and I am sure nothing would tend more to raise up a healthy, hardy, energetic race than good food at so trying an age. This *one* good meal of nourishing broth or soup would do much to supply, and if southern charity would lend itself to establish such kitchens in connection with all west coast schools, it would, I am sure, produce the maximum of good and the minimum of evil.

WILLIAM BRUCE.

LXXVI.

W. Bruce,
Esq., M.D.,
Dingwall.

APPENDIX.**TABLES OF COMPARATIVE MORTALITY IN THREE SELECTED PARISHES.**

- (1) West Coast Crofters and Fishermen ; (2) East Coast Fishermen (chiefly) ;
(3) East Coast Crofters, during 1880, 1881, and 1882.

1. Mortality below the age of five.

West Coast Crofters and Fishermen, 8 to 25 per cent. of whole mortality.

East Coast Crofters, about the same.

East Coast Fishermen, 40 to 50 per cent.

2. Consumption.

West Coast Crofters and Fishermen, 14 to 25 per cent.

East Coast Crofters, 2 to 4 per cent.

East Coast Fishermen, about 10 per cent.

3. Epidemics.

1. West Coast Crofters and Fishermen, less frequent than in other groups.

2. East Coast Crofters, less fatal, *typhoid* perhaps more so.

3. East Coast Fishermen, commoner of *diphtheria*, perhaps less fatal than in (1).

4. Bronchitis.

Common in children among both East and West Coast Fishermen.

5. Dyspepsia.

Very common in all three groups.

6. Ophthalmic Diseases.

Common in Skye, and perhaps also in other parts of the west coast.

7. Rheumatism.

Common in all three groups.

8. Longevity.

A large proportion live to be over seventy in all three groups.

LXXVII.

STATEMENT by J. M'GILCHRIST ROSS, Distiller and Farmer,
Teaninich, Ainess, Ross-shire.

LXXVII.

J. M'G. ROSS,
Ainess.

I have to thank you for allowing me to bring before you certain suggestions which I wish to make for remedying the painful state of matters which now exists in the Highlands, and with which the public are so familiar through your labours. As I go about a good deal, and come in contact with many people of all classes, I may allude—though it is well known to you—to the present state of excitement which prevails throughout the country on the land question. I don't speak of agitation carried on by unprincipled demagogues; but it is a fact that good men and true, throughout the country, are feeling that something is far wrong, and that something must be done by and by for the public safety. Up till recent years the upper classes—mostly acting in the capacity of landlords—were looked on as representatives and guardians of the public interest; and the instinctive feeling, that every man has, or should have, a right to a "local habitation," was considered as enjoyed through them. But a social revolution is taking place: the people are becoming more self-reliant through the spread of education and the more general diffusion of wealth; and successive inroads are being made on the ancient privileges of the governing classes, inherited or purchased, which are now culminating in the question being raised whether, in the interests of the community, any individual should have an intrinsic right of property in the limited *solum* of our native country? Trenchant works insisting on the rights of the people are in wide circulation. I am not ashamed to say that I have read some of them, and I think that their influence consists in their containing a great deal of truth. I need not describe to you such works as George on *Progress and Poverty*, and A. R. Wallace on the *Nationalization of Land*. Such works as these are leavening the people. I sincerely regret that Mr. Wallace (who has an eminent position in the scientific world), after showing *the evil*, in such a masterly style, which cannot fail to bring home conviction to the reader, and even inspire him with feelings of indignation, should lend the sanction of his great name to the proposal of an unjust and impracticable remedy. It is a fact that property in land is recognised by the law equally with property in other things. The law says a man can do with his own what he likes, consistent with the interests of the community; and we know, from the painful results of the inquiries of this Commission, that the law permits—nay, enforces—many deeds of moral injustice and oppression. I therefore say that any legal rights should not be taken from proprietors, even in the public interest, without compensation. I say also that the universal demand made by the delegates, that they should have fixity of tenure, irrespective of compensation to proprietors, is not just. Nevertheless I say further, that not even fixity of tenure, but absolute negotiable tenant-right for the cultivator—in fact, everything but the *solum* of the land—must be given before the land question is satisfactorily settled. Now I by no means propose that this should be universally done and at once. It is

LXXVII.

J. M'G. ROSS,
Alness.

impracticable without a revolution, which God forbid. But much can be done gradually and partially—the worst cases of dislocation of the old system, say in the Highlands, being taken up first.

Now the question is, how is this to be carried out without injustice to the proprietors? I admit there are great difficulties; but I venture to submit a scheme for your consideration which may fairly solve the problem.

I propose that a Land Court—having, in the meantime, a jurisdiction limited to that part of Scotland which lies north of the Caledonian Canal—should be instituted, armed with comprehensive powers by Act of Parliament. And I think that a better Land Court could not be sought than this Commission. In order to lighten its labours, salaried inspectors would require to be appointed in certain districts. Powers would also have to be conferred upon the Commissioners of Woods and Forests to administer the financial part of the scheme. I would give a right to the people of a discontented district to petition the Court to send an inspector to inquire into the state of matters as between them and their landlord. They must show that within a circumscribed area, formerly cultivated and pastured, they can divide the land among themselves and stock it, each family having a sufficient lot to live on, the extent to be decided by the Court,—say a minimum of seven acres arable with pasture, or thirty acres arable without pasture. Some must emigrate; and I may say here, that I am sure great assistance would be given by well-doing Highlanders, and other friends abroad and in the large towns,—who keenly sympathize with the crofters,—in the carrying out of the arrangement in most cases where required. The Court being satisfied, from the report of their inspector, that arrangements would be made to comply with these requirements, the marked-off land would be fenced, and purchased by compulsory valuation from the proprietor, by the Commissioners of Woods and Forests, with national money. No great demand would at any time be made on the Exchequer for this purpose—I mean, not so much as would affect the money market. I am aware, if such were the case, much opposition might be expected to the scheme from certain quarters.

After acquiring the land, the Commissioners would divide the value thereof into two parts. One part—the *solum* value—to be held as permanent State property, the rent or tax on which would be preferable to all other burdens. It would be the duty of the inspectors of the Court to see that land so acquired, is held rigidly under the regulations, namely, that it must be cultivated by the occupier and those in his employ, who must also reside on it, *but it must never be let*. It may be sold, and *must be sold* if the land tax is not paid punctually. Any holding may be subdivided or added to, but not above or below a certain extent prescribed. The other part into which the value of the land is proposed to be divided—that is, the amount paid to the proprietor after the deduction of the *solum* value, and which I call tenant-right—must be acquired by the holder. This might be done either by paying the whole of the money at once to the Commissioners, or it could be paid in instalments, principal and interest, in a certain number of years—4 per cent. on the tenant-right value would pay it in forty years, or 6½ per cent. in twenty-five years, as in the case of Government money lent for drainage. This would be a second preferable claim on the cultivator; and should it not be paid regularly, he must sell out his interest. It will be observed that the cultivator's paid-up interest in the tenant-right, which is *nil* at first, becomes more valuable year by year, thus increasing the security of the loan by the State.

The Court would have no difficulty in determining the districts to which

LXXVII.

J. M'G. Ross,
Alness.

the scheme should be applied in the first place, having before it the disclosures made at some of the sittings of this Commission; and public opinion would not long allow the districts which have been depopulated, and are fit for human habitation, to be overlooked. The Court, on the other hand, would not give encouragement to the occupation of places where climate, soil, and altitude will not admit of the means of subsistence; the clamour against the legitimate purposes of sport, to which many parts of the Highlands are devoted, and for which they are alone suited, would thus cease.

Now many incidents connected with this scheme,—some favourable, others unfavourable,—will occur to you, but I hope the former will preponderate. What will the proprietors say to it? No doubt in many cases they will not like the idea of their properties being cut up, even though they get compensation. But then the public good is to be considered in the first place. It is a grave question for consideration, whether it will not be better to remove a clamant grievance, and so enlist the sympathies of all good and true men on the side of existing authority, rather than allow an agitation perilous to the commonwealth, to go on, all the more formidable because it has, to a great extent, a benevolent and patriotic object. The incubus of the close monopoly of land accompanied by landlord patronage and factor tyranny, demoralizing alike to all concerned, is becoming more and more felt as the masses are acquiring enlightenment and feelings of self-respect. I say the monopoly; for I hold that, under the present state of the land laws, it is practically impossible for any but a minute fraction of the population to obtain, what every human heart naturally yearns for,—a right to occupy and enjoy, irrespective of the sweet will of any superior, a portion, however small, of the soil of his country. I repeat, that the present system is a monopoly, and as such I attack it. I don't deny that in presenting this scheme to the Commission, I do so with the hope of its more extensive adoption. I do not aim at the abolition of landlordism. I wish to see another system side by side with it. If a man, having the choice of being a freeman in his native country, prefers to take the use of a landlord's capital, and pay him a just rent therefor, he may do so. Such a relation, being free on both sides, will be a cordial one, and of a very different character from that which now so extensively and so unhappily prevails between landlord and tenant, and which it should be the aim of every right-thinking man to ameliorate.

J. M'GILCHRIST ROSS.

COUL COTTAGE, BY ALNESS,
6th Nov. 1833.

LXXVIII.

LXXVIII.

STATEMENT by N. J. M'GILLIVRAY, Esq., of Dunma Glass,
Inverness-shire.N. J. M'GILLIVRAY, Esq.,
Dunma Glass.HIGHLAND CLUB, INVERNESS,
18th October 1883.Evidence,
p. 2671 *et seq.*

I have observed, on reading the report of the proceedings of the Crofters' Commission on Thursday last here, that Mr Charles Mackay, house carpenter, Inverness, in the course of his evidence before the Commissioners, stated that on certain estates in the county of Inverness, including the Dunma Glass estate, tenants were turned off to make room for sheep and deer. I came into possession of Dunma Glass in 1858, and *no tenant was ever turned off by me, nor any ground added to any deer forest.*

N. J. M'GILLIVRAY.

WALTER TRAILL DENISON.

P.S.—Reference to J. H. POPE, Esq., M.P. This letter is at your pleasure.

LXXIX.

STATEMENT of the Rev. ANGUS M'RAE, Free Church Minister,
Glen Urquhart, Inverness-shire.

LXXIX.

Rev. Angus
M' Rae, Glen
Urquhart.

FREE CHURCH MANSE OF GLEN URQUHART,
INVERNESS-SHIRE, 2nd November 1883.

I BEG to submit to the Royal Commission that there has been a decrease of the population of this parish during the last 'census decade' of 342 in a population of 2438, which I ascribe principally to our large deer forests.

The late laird of Glenmoriston, who was one of the kindest and most humane of the proprietors in the north, erred latterly in adopting the system of turning farms into deer forests; but it is to be hoped that the young heir will reverse this system as soon as he gets full possession of the estate.

The deer forest of Balmacaan, in Glen Urquhart, is about twelve miles in length, and is rented for £3000 per annum; to this forest a great deal of good land has been added, even within the last sixteen years, besides the large tracts that were added to it at different periods formerly. About the year 1867 the whole township of Balmacaan, where there were over twenty families who were living pretty comfortably, had to be turned out in a body as the place was to be directly added to the forest. But the late Earl of Seafield, who was a kind and unoppressive man, gave patches of land elsewhere to such of them as had land at Balmacaan, which they had to improve and build houses upon; and since that time a large piece of the pasture of the farm of Drumclune was added to the forest. Some of the people here remember to have seen sixteen tenants on the farm of Sheuglie in comfortable circumstances, where there is now only one farmer and a gamekeeper, the most of the pasture having been added to the forest. Of course, there was a small forest above the ordinary pasture from time immemorial, but recently there has been added to it the grazing of about 10,000 sheep from the following farms, viz. :—

2000	on the hill	pasture of	Sheuglie.
500	"	"	Drumclune.
1300	"	"	Glencoiltie.
1600	"	"	Monadh Leumnach and Melfourvonie.
800	"	"	Cat-House.
700	"	"	Lochletter.
300	"	"	Allanmore.
2000	"	"	Divach.
1000	"	"	Ruskich.

Consequently we have a great many acres of good land that was under cultivation, and a long stretch of the finest pasture, situated in a very convenient part of the country, some of it even reaching down to the very foot of the glen, all under the deer forest, while we have scores of families who have no land at all, and others but very small portions, for which they pay less than £2 per annum, and numbers of their families have to go north and south in search of work. Whereas if suitable portions of the said forest were divided amongst them for fair rents, they

I XXIX.

Rev. Angus
M'Rae, Glen
Urquhart.

might live comfortably and happy, and, no doubt, it would be pleasant to the proprietor himself to see his tenantry living in comfort and happiness, and so walking up to the Scriptural recommendation, where it is said that our Lord was 'rejoicing in the *habitable part* of His earth; and my delights were *with the sons of men.*'—Prov. viii. 31.

The Seafield family have always been disposed to continue the same tenantry, but there are cases which show that it is necessary to have fixity of tenure, one of which I will mention. My predecessor, the Rev. Alexander M'Donald, had a farm from Lord Seafield for which he paid yearly rent of some £16, this farm he improved very considerably, especially the pastoral part of it, without drawing anything from the proprietor. Mr M'Donald died in 1864, and I succeeded him in 1866, but the farm was given to another person in 1865 without any notice being given to the congregation or their representatives of this arrangement, which, when they heard, grieved them, and they immediately petitioned Lord Seafield to continue the farm in connection with the manse; but of this no notice was taken, and all that I asked of it was the grazing of a cow, and this was not given, though I was willing to pay full value for it, and though the farmer holds the farm on! from year to year.

Another case very similar to that happened here only a few months ago, but I need not here go to particulars, as that which I have already mentioned will suffice to show that in the present state of matters very unjust things may be done, even under good proprietors, and it would be well that they would make inquiry into cases of the kind in an impartial manner. I am told that our neighbour, Lord Lovat, sets a very good example before others in things of this kind—that he attends personally in his office for so many days in the week to hear any complaint that his people may have to make to him, which is no doubt calculated to establish good feeling between them.

In regard to rents, they used to be pretty reasonable on Lord Seafield's estate, but a good many now require to be reduced. I shall mention only one case as an example—the farm of Torshee, which is rented at £27. This farm was taken by Duncan M'Dougall and his brother-in-law some good many years since, but, after the trial of some years, they found it difficult to take the rent out of it, so they applied to the factor for a reduction of rent, who told them that he would take the farm off their hands. When Donald M'Rae, the present tenant, took it, he had money at the time, and now the whole of it is spent there, and he is an old man and not able to make ends meet, after spending his strength and money on the farm. Other cases of similar kind might be given, but this will suffice to show that fair rents, by impartial valuation, ought to be fixed.

I consider all the shootings on Dr Cameron's estate of Lakefield to be more beneficial than hurtful to the people on that estate, but larger stripes of ground should be given to the new crofters there; and there is room for fair rents there, though Dr Cameron is a very good proprietor.

I consider the shootings on the estate of Mr Ogilvy of Corrimony to be more beneficial than hurtful to the people there, as they get a good deal of work in connection with them. Mr Ogilvy has the largest sheep farm in the Glen, it fetches £488, 13s. 7d. of a yearly rent; this large farm has been consolidated of some small farms since a long period of years, the extremity of which is Tullich, where there was once some small farmers, but none now; hence the phrase 'from Tullich to Temple,' which includes the whole Glen. Mr Ogilvy is a good proprietor.

While I advocate in the behalf of the small tenants, I disclaim having any desire to make a crusade against proprietors. I have much respect for all the

proprietors of whom I have spoken above, they are all good proprietors, it is not with them at all that I have the quarrel, but with the system, that is capable of being greatly abused. Many grievances are capable of being greatly assuaged if not entirely removed, if proprietors would listen to, and kindly consider the complaints of their people; but, at the same time, the interposition of Parliament I consider to be necessary, with conciliatory legislation; and an alteration of the land laws is urgently demanded for the encouragement of the multiplication of small farms of different sizes, for securing to the small farmers the capital they expend on the improvement of waste land, and in increasing the productivity of the soil, and for the substitution of leases with a security of tenure, instead of the existing arrangement of tenure at will, with its state of helpless dependence.

LXXIX.

Rev. Angus
M'Rae, Glen
Urquhart.

ANGUS M'RAE

LXXX.

STATEMENT by LORD LOVAT regarding Glenstrathfarrer
Deer Forest.LXXX.
Lord Lovat*(See Evidence, p. 2767).*BEAUFORT CASTLE, BEAULY, N.B.,
December 5, 1883.

The deer forest of Glenstrathfarrer, containing about 50,000 acres, consists of old Lovat property and the Struy property. The latter from Strathglass and Erchless march to Aultdulisk on the north and the middle of Leaterandhui on the south side. The former, from these points to the west end, marching with Monar and Patt.

Struy property was bought by Lord Lovat in 1827. The hill ground on south side Dumnaglass Coilgarabh was in the hands of the laird, and was cleared by Lord Lovat in 1827, till 1834 (seven years), when it was let for sheep to Mr Macrae for £46, and was again cleared in parts in 1850, and 1860.

Camisony, also on *south side*, was let to Peter Chisholm in 1824 till 1850, when it was cleared. Peter Chisholm had little means, and went to Inversnaid, where he died.

North side.—Coilgraen was held by Fraser of Eskdale till 1832, when Finlay Macrae and Ewen Macdonald took it for £200. They left and took farms in the low ground in 1850, when Tait took part, and part was cleared. Tait gave up the sheep ground in 1865, when it was cleared. His widow still retains the arable farm at a rent of £60.

Old Lovat Property.

The whole glen, exclusive of the Struy property, was taken by Mr Grieve, a south country sheep farmer, in 1824, for £500. He gave up the north side in 1833, retaining the south side for £200.

On north side.—*Deanie and Easter Moylie* were taken by John Chisholm and his son William in 1833 till 1839, for £133, 18s. 4d. Not doing well there, W. Chisholm gave it up, and, after a few years, took Barnyards, near Beauly, an arable farm, which his son still holds, for £400.

Wester Moylie, Athuilck, and Browlen, were taken by W. Mackenzie and W. Chisholm, in 1833 till 1847; rent, £166, 1s. 4d. Mackenzie gave it up, not thriving, in 1847, and took Croichel, where he now is, at a rent of £120.

South side.—Grieve gave up the south side in 1834. Valentine Macrae took Inchclair and Moylie Reach for £70, and gave it up in 1850, when it was cleared. He took the farm of Carnoch, where he died. All west of this was cleared by Lord Lovat when Grieve gave it up in 1824.

A few small tenants, and sub-tenants, came down from the Glen, and settled in the low country in 1824, and long before that. The one or two that were

then in the Glen remain there now. Long ago the Glen was divided into shealings for summer grazings for the arable farms, *i.e.*, before the introduction of sheep farms. There were no crofters turned out to make the forest. The Glen was entirely held by sheep farmers, who left at the expiry of their leases, or to benefit themselves by taking farms in the lower country.

LXXX.

Lord Lovat

I believe the above to be a fairly correct statement of facts regarding the forest of Glenstrathfarrer.

LOVAT.

LXXXI.

STATEMENT by the Rev. JAMES BAIN, Minister of Duthil,
Inverness-shire.

(See Appendix A., LXXXIII.)

THE MANSE, DUTHIL, AVIEMORE,
23rd October 1883.

In Strathspey it is all but universal the feeling that the condition of the farming and labouring classes in the district admits of fair comparison with that of those who of old were required to make 'bricks without straw;' and though their cry has not hitherto been either loud or long, their sufferings have been sharp and keen, as will, I think, appear from the following facts with reference to the parish of Duthil, with which I am more immediately connected. But for the circumstance that I feel it to be a duty which I owe to my parishioners,—who are themselves afraid to state their complaints,—I would not now intrude upon the Commissioners with this statement:—

1. The population of Duthil in 1841 was 1767, in 1861 it was 1928, while in 1881 we find it down to 1664. This latter figure includes the increase of population arising from the two railway stations situated in the parish together with their respective villages which, in round numbers, may be held equal to about 200. Deducting that number from the actual population, as in 1881, there would remain about 1460, showing a decrease of about 300 as compared with 1841, and over 500 as compared with 1861.

2. In 1841 the actual rental of the whole parish amounted to £3329 or thereby, while in 1883 the actual rental amounts to £11,733. So that while the population has materially decreased, the rental on the other hand has increased nearly *fourfold*. In view of the decrease of the population, and the labouring circumstances of the people, this is an important fact. Especially so, when it is remembered that a vast extent of the land under sheep and cattle in 1841 is now under growing timber, and enclosed.

3. Duthil has long and justly been celebrated for the abundance and quality of its pine forests. Till about the year 1860, the manufacturing and carting of the timber afforded steady and remunerative employment to the small farmers and labouring classes. In or about 1861, however, the railway works were in progress, and almost the entire available timber in the district was then sold off, in consequence of which the small tenants and labouring classes were deprived of the main source from which they hitherto derived their living. When the woods were thus sold off, and the railway works at an end, the labouring classes, in particular, were thrown out of work, and had nothing to look to, either for themselves or their families, but starvation or emigration. No other employment was provided for the people, and the authorities—almost all of whom are outsiders—had no sympathy with them. In these circumstances it is not too much to say that, except for greater educational advantages, the lot of the labouring classes in Strathspey would, since 1861, have been even more trying than that of the same class on the coast, for there when landward labour fails, they have the alternative of turning their attention to the sea.

4. As regards the tenants. About the time mentioned, 1860, a new system of estate management was introduced, and is still carried on. To make up for

the quantity of timber put into the market, large areas of the best pasture land in the parish were enclosed for large sheep farms, plantations, and a deer forest. It is estimated that the extent of ground so dealt with is equal to about three-fourths of the area of the whole parish. This necessitated the small farmers generally to part with a considerable number of their sheep and cattle, and with that loss they had henceforth to depend for their rents and living, mainly on the produce of their arable holdings, than which nothing could be more precarious and uncertain as a source of livelihood, especially in Strathspey, where the arable farmer has, to a large extent, to contend with soil of an extremely poor quality, as well as many other difficulties. Among these he has to contend with what is known as the 'early and late frosts.' The effect of these frosts—as, for example, the present year—is in a great measure to blast the poor farmers' prospects for a whole season. No deduction of rent was made in favour of the tenants in respect of the pasture of which they were deprived. On the contrary, in many cases the rents, though already oppressive, were increased. So that with the loss of pasture, increase of rents, and bad seasons, the marvel is that the poor Strathspey farmer has hitherto been so long suffering; and, but for the circumstance, that they and their families are a hard working and industrious class, they would have been sold out long ago. But there are limits to human forbearance, and it is to be hoped that justice will be done to them ere those limits are reached.

5. Till about 1860 or so the dwelling-houses and offices on the holdings were the property of the tenants. These, however, under the new system of management, had to be made over to the proprietor at a valuation, it is understood, equal to two years' rent. The amount, however, whatever it may have been, was not as it ought to be paid down to the tenant. On the contrary, it was doled out to him in yearly instalments extending over the currency of the lease in name of a reduction of rent which in reality was no reduction, seeing that the rent had been increased at the beginning of the lease to an extent, in some cases, exceeding the value put upon the buildings. That being so, the talk about a reduction is a fallacy, and as some would say, 'a delusion and a 'snare.' Besides, when the tenant happens to be in arrear, he is charged interest at the rate of 5 per cent. on the full amount of his rent—his own instalment, it is believed, included. To have been forced to part with their right to houses and offices, which they themselves or their fathers built, and spent so much labour and money on, was to many of them like parting with a *right hand*. They keenly felt, and still feel that they were by that act made to part with a '*birthright*,' and all with a view to make it so much the more easy for the proprietor to part with themselves at the expiry of the lease if not earlier.

6. As already observed, when the tenants entered upon their new leases, instead of receiving an abatement of rent such as their curtailed holdings warranted them to anticipate, they were rather increased; but that was not all. In addition to their being compelled to yield up their right to their houses and offices, they were required during the currency of the lease—nineteen years—to reclaim so many acres of waste land, and bring it under cultivation. This, it is well known, could not be done under an outlay of from £20 to £24 per acre. The land so reclaimed, according to the Honourable T. C. Bruce, is in its natural state worth only about 3d. per acre yearly, yet according to the lease the poor tenant is held to have repaid himself for the full amount of his outlay—£20 to £24 per acre—out of the land itself during the currency of his nineteen years lease, which is simply a mockery, for in all fairness it would take a lease of fifty years' duration to enable him in any sense or degree to do so. The land which the Honourable T. C. Bruce, in his statement before the Commission at Kingussie, represented as worth only 3d. per acre, is, after being reclaimed by the tenant, let by the proprietor at a yearly rent of 20s., and

LXXXI.

Rev. James
Bain,
Duthil.

LXXXI.
 —
 Rev. James
 Bain,
 Duthil.

sometimes more per acre. In this way the proprietor has hitherto been getting his waste lands improved, and his rental increased by the sweat of the brow of the poor hard working tenant.

7. Another ground of complaint on the part of the people is, that under the new management a large number of holdings, where once highly respectable families were reared in comfort, industry, and plenty, were laid waste to make room for large sheep farms or deer forests.

In the district of Easter Duthil, for example, six or eight respectable families were removed from their comfortable homes to make room for a large sheep run where no such run should be. I maintain, therefore, the Honourable T. C. Bruce notwithstanding, that these and many others were removed and forced out of their holdings and their houses; and, as a consequence, some of them were reduced to the position of common labourers; others to the poor roll. It would be adding insult to injury to say that there were no removals in Strathspey for the last twenty years or so. I am assured on good authority that there were, and that some of them were of a painful and heartrending description, and I know that

‘ Wrongs so deep of hearth and home,
 Fill the broad breasts of these northern men.’

Is it wise then to say that there was no such thing, and to talk of peace and happiness while there is so much suffering?

Till their holdings are restored to them, along with the hill pasture of which they were deprived—as far as that is possible at fair rents with reasonable security of tenure—say leases of fifty years' duration, with compensation for all permanent and unexhausted improvements. Till this or something like this is done for the people it is vain to hope or look for that independence of conduct and character, and that peace and prosperity among them which it ought to be the aim and object of all to work for.

8. Another ground of complaint is the want of proper school accommodation. Till the passing of the Act, 1872, there were some six or seven schools in the parish. Now, there are only three, and these, unfortunately, are all placed in the most out-of-the-way situations that, so far as education is concerned, could well be fixed upon. Apparently these situations were fixed upon more with a view to improve the landscape than to advance the cause of education. The consequence is that in some of the outlying districts children of tender age are clean shut out from the means of education, and their parents and guardians are helpless in the matter. They have again and again petitioned the board, but the School Board, like other boards, and the proprietor or his factor are virtually one and the same. I say so without hesitation, for I have no faith in the practice of using ‘good words and fair speeches’ where justice ‘lies bleeding’ and plain speaking is called for.

The foregoing are some of the grievances the people of Strathspey complain of, and which they hope and pray the Royal Commission may be the means of redressing, by recommending such alterations in the statute law of the country, as will enable the poorest tenant to treat with his landlord or his factor on a footing that will ensure immunity from all dread of harassing removals.

JAMES BAIN.

LXXXII.

STATEMENT by the Hon. THOMAS CHARLES BRUCE, M.P.,
Commissioner for the Earl of Seafield.

(See Appendix A. LXXXVII.)

LXXXVII.
Hon. T. C.
Bruce, M.P.

LONDON, 17th December 1883.

I can only give an emphatic contradiction to Mr Bain's statement. I have been intimately acquainted with Strathspey for thirty years, and in constant intercourse with those who are fully cognisant of its condition, and can speak with knowledge of the general improvement and increased comfort of the people, and that, if by any accident any farm or croft is vacant, there are numerous applications for it, and that higher rents might easily be obtained.

1. The population diminishes, as in all rural districts which I am acquainted with, from the greater opening for labourers in towns and other centres of population, to which there is easy access, as well as in the colonies. The population in 1862 was swelled by people employed on the railway works then in progress. The tendency of labourers to group themselves in houses round the railway stations is a distinct advantage to them.

2. This paragraph is calculated to mislead the Commissioners, by confounding the agricultural rental with that derived from shootings and villages, which latter have materially increased. The details of figures are given in the annexed paper.

3. It is unnecessary to go into detail as to the management of the woods, as the returns vary according to the demand. There is far more timber than can be consumed locally, but the whole statement is exaggerated and untrue. A large quantity of timber was sold, when the demand arose for the railway works. The ground was replanted at great expense, and more labour is required as the trees grow up.

4. As I explained to the Commissioners, the farms were relet in 1862 and 1864 on a valuation on the present marches, and after the making of railways and other means of communication had largely increased the value of the farms, no change has been made since; and as I have already stated, not only has the appearance of the farms much improved, but there is never any lack of tenants for the arable land.

5. The houses passed into the landlord's hands, and were paid for by him, and vast improvements have been made on them since. In fact, the tenants could not have farmed so as to take advantage of their new facilities of transport with such houses as they could build for themselves. The land which I stated to be worth 3d. an acre was the hill pasture, not all the land of Strathspey. The improveable land was allotted to the tenants under their leases. They have improved some of it to their advantage; some they found too expensive, and did not improve it; but no pressure has been put on them to do so.

6. I have already stated in my evidence no tenant has been removed by me

LXXXII.

Hon. T. C.
Bruce, M.P.

in the parish of Duthil, and the insinuations contained in this statement are absolutely unfounded.

7. The parish of Duthil is not exempt from the Education Act, the provisions of which are fully carried out there. As to the sites of the schools, Mr Bain may settle them with the gentlemen composing the School Board.

N.B.—I annex a paper containing some details explaining these statements.

THOMAS C. BRUCE.

ANSWERS by the Hon. T. C. BRUCE, M.P., to the STATEMENT of the
Rev. JAMES BAIN, dated Manse of Duthil, 23rd October 1883.

1. The railway official population is overstated by fully two-thirds. The decrease in population between 1841 and 1861 is 105, and between 1861 and 1881 is 264. This is accounted for chiefly owing to the fluctuation in the number of labourers engaged in the timber traffic.

2. In 1841 Mr Bain gives the rental of the whole parish at £3329, and in 1883 at £11,733. The latter sum is inaccurate, whether, Rothiemurchus is included or not. The Valuation Roll for 1883 gives the whole parish, including Rothiemurchus, at £12,320—Duthil, £6301; Rothiemurchus, £3204; urban subjects, £627; railways, £2188.

The agricultural and pastoral rents of the whole parish for the year referred to was £5434, showing an increase of rental since 1841 of £2105, which proves that the great rise of rental in the whole parish, as appearing in the Valuation Roll, is principally due to the introduction of railways, shootings, and urban subjects.

3. About the time mentioned, mature timber was cut down, but the ground has been planted, and the proprietor has paid for planting since 1858, £28,716, the work having been done by the resident population. There is at present employment for any person who desires employment.

4. About this time tracts of land, which were not adapted for either grazing or cultivation, were reserved for planting. The average rent paid for this land was less than 3d. per acre. No land which could be reclaimed for cultivation nor pasture land was planted.

5. Before 1860 the houses were in a wretched state. The proprietor took them into his own hands, and he has since expended in erections and improvements £50,000.

6. If leases entered into about 1860 contained stipulations for the improvement of land suitable for cultivation, in no single instance has the obligation been enforced, and, as a matter of fact, the reclamation of land since that date was either done by the tenant, by a special arrangement under which he was compensated, or by the proprietor himself. There is not an instance in which a tenant was evicted or removed from one acre of land reclaimed at his own expense. As already mentioned, no part of the land rented at 3d. per acre was capable of improvement otherwise than by planting. The present average rent for arable land is 14s. per acre.

7. No family was removed to make room for sheep or deer. There was one tenant who occupied a croft in the forest of Duthil enclosed for planting. He voluntarily removed. Another was warned to remove, but although the warning was given twelve years ago, he is still in possession of his holding at the former rent.

In the district of Easter Duthil, about four miles into the hill, in a high, cold, and wet part, there were three small farms or crofts:—Kynamuil, occupied by Duncan Grant, who retired of his own accord from possession on account of bad health, and very soon thereafter died; Rynruich, occupied by William Grant, who died there, leaving no issue—his widow removed to another part; Rychroggan, occupied by Peter Grant—this tenant removed, having got a better farm at Auchnahannet. In consequence of these places becoming unoccupied, as above described, they were included in the Rycraggan grazing let to Mr Allan.

The small hill farm of Balnafeddig was tenanted by William Smith, who retired in consequence of the infirmities of old age; he was succeeded by John M'Intosh, who only occupied it for a year or two, and then gave it up, assigning his reason for doing so, that it was too high for profitable cultivation. It was then added to Rycraggan grazing.

LXXXII.
 Hon. T. C.
 Bruce, M.P.

LXXXIII.

LXXXIII.

STATEMENT concerning F. W. CALDWELL, Esq. of Mishnish, and
ALEXANDER ALLAN, Esq. of Aros.Rev. Charles
Ross, Tober-
mory.*(See Evidence, p. 2235 et seq.)*FREE CHURCH MANSE,
TOBERMORY, August 31, 1883.

I have been requested to transmit the accompanying document to the Royal Commissioners. You will observe that it is signed by the sheriff of the county, by three clergymen, and many others, as well as by the great body of the crofters and tenants on the two estates referred to; and it would have been very easy to have greatly increased the number if it were thought in the least necessary. I can assure you that the signatures are all genuine, and were most readily and heartily given. I may explain that as it was the week of our communion, and as I had been engaged in the church the day the commissioners visited this place, I was prevented from being present at the meeting except for a few minutes. I heard no statement but Mr Allan's own, which I thought quite sufficient. Had I heard the previous statement I certainly would have spoken. But I did not, and hence my silence. But this I will say, that if any gentleman in the West Highlands deserves to have his services recognised, Mr Allan of Aros does, for his many generous and enterprising efforts to raise the condition of this place, ever since he came to reside among us. I feel confident that the Royal Commissioners, who have already won such golden opinions for themselves, will give this paper every due consideration in drawing up their report. I think it right to say that those who got up this document never consulted either of the proprietors mentioned, that they have nothing whatever to do with it. It is the spontaneous act of the people themselves.

CHARLES ROSS,
Free Church Minister.

TOBERMORY, 23d August 1883.

*To the Right Honourable the Chairman and Members of the Royal
Commission for Highland Crofters.*

We, the undersigned tenants and crofters on the estates of Mishnish and Aros, and inhabitants of Tobermory, consider it our duty to submit to your honours the following statement in connection with your recent visit to this place, expressive of our high esteem for the two proprietors of the estates just named, viz., Frederick William Caldwell, Esq. of Mishnish, and Alexander Allan, Esq. of Aros.

Referring to the former of these gentlemen, we have much pleasure in declaring that we have always regarded Mr Caldwell as a very kind and considerate landlord. We cannot forget the great benefit which he has conferred on this place in various ways—in the erection, some years ago, of the new pier, which has proved such a convenience to the whole country, in building very lately the large and handsome new hotel, which promises so much for the future prosperity of Tobermory, and also by his liberal contribution of £300 sterling towards the expenses of the water and drainage works, and the free

grant of land and water. And we are glad to state that Mr Caldwell has always been very kind to the poor on his estates, and has regularly contributed to the funds of our relief committee. LXXXIII.

Rev. Charles
Ross, Tober-
mory.

We also feel in duty bound to express to your honours our very great satisfaction with and warm attachment to Mr Allan of Aros, as a most kindly, liberal, and dutiful landlord. We desire very heartily to corroborate, in every particular, the clear and admirable statement made by himself on the occasion of your visit to this place regarding the management of his estate; and we could go a great deal further than anything that he then said. We are well aware of the large sums of money laid out by Mr Allan on improvements, in building new houses, and in repairing and rebuilding not a few old dilapidated ones, thus giving employment for years past to many tradesmen and others. And we ought not to omit, in this connection, the handsome sum of £600 sterling granted as a free gift towards the expenses of the water and drainage works. We mention with special gratitude the fact that Mr Allan has always, and often at great inconvenience and expense, put himself at the head of every movement which seemed well-fitted to ameliorate the circumstances of the people; while the other members of his household have uniformly shown the utmost kindness and attention in relieving the wants of the poor. The temperance hall and reading-room, built and furnished by Mr Allan at his sole cost, constitutes no small claim upon the inhabitants of Tobermory and neighbourhood. Nor should it be forgotten that the present elegant and commodious Free Church, which is indeed an ornament to our rising town, in all probability never could have been built but for his and his family's great liberality. His efforts to remove the great reproach of our country, and to promote the cause of temperance, by his counsel, example, and means, have won for him our warmest gratitude. The constant residence of himself and family among us, the whole year round, we regard as a special boon to the district. It is our earnest desire that he and his may long be spared to go in and out among us, to carry on their beneficent work, and that the present very happy relations between us may long be continued:—

Hugh Ross, sheriff-substitute of Argyleshire.

Charles Ross, M.A., Free Church minister.

John Cameron, M.A., minister of Tobermory.

John MacLachlan, writer and bank agent, Tobermory.

A. Brown, merchant.

Andrew Warwick, merchant and tenant.

James Ferguson, H.M. Inland Revenue, Tobermory.

Chas. Parker, Western Isles Hotel, Tobermory.

and sixty-five merchants, crofters, tenants, mariners, and tradesmen.

LXXXIV.

LXXXIV. STATEMENT by WALTER ELLIOT, Esq., Manager for T. V. Smith,
Esq. of Ardtornish.

Walter Elliot,
Manager,
Ardtornish.

(See Evidence, p. 2280 et seq.)

Ardtornish Estate, including Achranich and Acharn, all as possessed by T. V. Smith, Esq., extends to about 40,000 acres, and is entered in the valuation roll as of the annual value of £2200. Three-fourths of the estate is under sheep, and the remaining one-fourth is under deer and black cattle.

There are really no crofters on the estate, Murray, who pays £8 of rent, being a road contractor. There have been no crofters on this estate for many years. It was all under sheep when purchased by the late Mr Sellar, from whose representatives it passed to the late Mr Smith.

The family are resident on the estate for six months in the year.

We employ from thirty-five to forty men all the year round: they are paid fortnightly. Labourers' wages run from 17s. to 18s. per week of 60 hours; blacksmith, joiners, and foremen from 20s. to 27s. Some of these have houses and potato ground, the others walk from the village of Lochaline. These men do not include gamekeepers, gardeners, shepherds, and farm servants. Our women workers get 1s. 3d. per day, summer and winter.

We supply those on the estate with milk at half the price it would cost them in town. They seldom cut peats, but get the best household coal at present laid down at their door for 15s. per ton.

For the last twenty years Mr Smith and his father have been spending from £2000 to £3000 a year more than the return from the estate. His shepherds' and workmen's houses, to the number of twenty-two, are all recently built, and have each cost over £200.

The estate has also been improved by planting, fencing, draining, liming, and road-making. New mansion-house, manager's house, and offices have also been built.

Mr Smith has built all his houses of concrete, which, with the aid of a foreman, enabled him to employ the native population to a greater extent.

I may say that Dugald M'Gregor, who gave evidence at the meeting, removed from the estate of his own accord, and in doing so gave me four days' notice. Malcolm M'Lachlan, who works to us as mason, and gave evidence on behalf of Barr crofters, has 27s. per week, and house and potato ground. Alexander Cameron, mason's labourer, who also gave evidence, has 18s. per week. I leave Her Majesty's Commissioners to judge whether these men are better off with these wages, or as stated by Mr Cameron, teacher, in his evidence, with a cottage and two cows, which the delegates themselves think too dear rented at £7 per annum.

No doubt, the men imagine they would have the croft and still obtain work when they felt inclined; that, in my opinion, is quite a mistake, as, were the estates all dotted with crofters, there would be very little money spent by proprietors.

The crofters also on their side could not afford to pay a sufficient rent for

Evidence,
p. 2285.

Evidence,
p. 2294.

Evidence,
p. 2291.

suitable houses and crofts ; the house rent alone would require to be as much as that of an ordinary croft of the present day. My own opinion is, that crofters cannot farm land profitably either for themselves or the country, unless they hold as much land as will keep themselves and an ordinary sized family (*not in food*)* *but in employment all the year round*, which means at least a rental of from £40 to £100 sterling. LXXXIV.

Walter Elliot,
Manager,
Ardtornish.

My opinion also is, that the crofter question will in the course of from ten to fifteen years solve itself, that is, provided Government gives an efficient postal and telegraph service to all suitable districts still unprovided for. A railway from Glasgow to Inverness *via* Fort William, with a branch to Loch Hourne, would also be a great boon. These advantages, along with the education now given, would make a great change in the time I have stated. Such a change, I consider, has already taken place in the parish of Morvern at the present day. I should say that not more than one-third of the population at present in the parish are the pure natives. We have men from men from Skye, Ardnamurchan, Mull, and other parts of Argyllshire : they now move from one part to another, and try to better themselves of their own accord.

In the meantime, I should advise crofters to exercise industry and patience, and landlords to give them all the assistance in their power.

* What I mean by 'not in food,' is, that in place of a man always being asked how much land will keep him in food, he should be asked how much land he could work with an ordinary family.

WALTER ELLIOT.

LXXXV.

LXXXV.

His Grace the
Duke of
Argyll.

INFORMATION respecting the Island and other Estates of His
Grace the DUKE of ARGYLL, K.G., K.T.

(See Evidence, pp. 2128 and 2183 et seq.)

1.—DUKE of ARGYLL, K.G., K.T., to the CHAIRMAN, ROYAL COMMISSION
(Highlands and Islands).

When I addressed my letter of the 1st of October* last, I was not in possession of any detailed description of the condition of my Island estates at a date earlier than about 1768. But by the kindness of the Earl of Home I have lately recovered a document of great interest upon this subject, being a detailed report on these estates by a man no less distinguished in the history of Scotland during the last century than the Lord President Forbes of Culloden.

It is well known that this eminent judge and statesman was an intimate friend of John Duke of Argyll and Greenwich, as well as of his brother, the Earl of Islay, who succeeded him in the dukedom in 1743. In the exercise of this friendship Duncan Forbes of Culloden was in the habit for many years of giving to John Duke of Argyll and Greenwich the benefit of his assistance and advice in the management of his estates, which must have been all the more needed and all the more valuable to the duke, engaged, as he habitually was, in military life or in the most critical politics of a very critical time.

Accordingly it appears that in the last year in which Forbes could with propriety have discharged such duties, being the same year in which he was appointed to the high office of lord president, he undertook a mission to Mull and Tyree for the purpose of effecting a renewal of leases then about to expire, and a readjustment of conditions and of rents.

A detailed account of the mission and of its results was addressed by Forbes to the duke in a letter dated Culloden, September 24, 1737. It has now been found among the papers of Lady Mary Coke, the last surviving of the duke's daughters, and has been most kindly sent to me by Lord Home, into whose possession it had come.

In my former letter I pointed out (page 9) that the conditions under which leases were granted in 1776 proved that the class which has since been called crofters had never possessed, by custom or otherwise, any right of possession or any continuity of tenure, but had been, on the contrary, simply subtenants, holding absolutely at the will of the various 'tacksmen' or leaseholders.

Not only is this conclusion confirmed by the report of Culloden, but a further conclusion not less instructive is established, namely this, that the relations between the gentlemen tacksmen and their sub-tenants, instead of being paternal and poetic, according to the character assigned to them in the imagination of some modern writers, were relations under which the sub-tenants were treated most arbitrarily and most injuriously to the interests of agriculture. The rents or dues which they paid to the tacksmen were not fixed rents secure against augmentation for any time, however short. They were rents paid 'in kind,' that is to say, in produce and in services, which were varied from time to time

* This letter has already been published as a pamphlet.

as the needs of the exactors might arise; and so systematically was this power exercised that Forbes describes the sub-tenants as ground down and impoverished by the exactions to which they were exposed, and as already beginning, by emigration, to threaten an excessive depopulation of the estates.

LXXXV.

His Grace the Duke of Argyll

Remarkable as this fact is, it is not more remarkable than another fact which comes out prominently in Forbes's report, and that is that the sub-tenants had so little perception of the real causes of their own poverty, and were so accustomed to the operation of them, as the natural working of the old conditions of Celtic society, that the tacksmen had no difficulty in getting them to combine with themselves against the new proposals of the duke and of his wise adviser. The aim of these two eminent men was, in the first place, to let as many as possible of the farms to the sub-tenants themselves, holding directly from the proprietor; and, in the second place, to abolish or limit services, and to convert the rents into fixed and definite sums of money, which were to be incapable of increase during a considerable term of years. They calculated that when the cultivators came to enjoy their new tenure, securing them against arbitrary exactions, they would be able both to pay a somewhat higher money rent, and also to be much more comfortable themselves.

But proposals of this kind, involving, as they did, a complete change of old customs and a complete breaking with tradition, were far beyond the intelligence of the people. The tacksmen easily persuaded them to think of nothing but the small apparent increase of rent which was expected, although this was far more than balanced by the abatement and abolition of arbitrary exactions. They combined with the tacksmen, and for some time obstinately refused to accept the terms offered by Culloden—some of them declaring that they did not want or care for the new and secure terms of tenure. It required all the tact and firmness of Culloden to overcome this resistance. He gave the tacksmen clearly to understand that the duke would not let his lands again to them at the old rents and under the old conditions. He persuaded some Highland gentlemen in his own company to make offers, with which he immediately closed. He prevailed on some of the sub-tenants to make similar offers, which he as readily accepted; and by this skilful and determined conduct he broke down the barriers of prejudice and of ignorance so effectually, that before he left the islands he had accomplished the reletting under the new conditions of nearly all the duke's farms in Mull, in Morven, and in Tyree. In no subsequent document is there any complaint made of arbitrary exactions levied by the tacksmen upon sub-tenants. Thenceforward this evil disappeared, and at least the opportunity and the possibility of improvement was established.

Thus were the indispensable foundations laid for some progress in agriculture, by the introduction of that first element of success—the element of definite conditions of bargain on which both parties can rely. This great step towards a more civilised condition was a step taken, as all subsequent steps were taken, by the proprietor, and not by the people. It was a reform rendered possible only by the possession and by the exercise of the fullest rights of ownership. It is a signal illustration of the complete ignorance of facts upon which certain current popular imaginations are founded in respect to the conditions of society in the Highlands before the old Celtic customs melted into the modern relations of landlord and tenant. Instead of 'clansmen' being deprived, by that process, of any rights, or of any status which they had ever enjoyed, we see men who had been absolutely dependent on petty chiefs raised to the condition of farmers having a profession and a business, and endowed, for the first time with condi-

XXXV.

His Grace the
Duke of
Argyll

tions of tenure which enabled them to prosecute that business with such industry and with such knowledge as they might be able to acquire.

But no one knew better than Forbes of Culloden that this great reform was a first step and nothing more. He saw that the people, so far as the knowledge and practice of agriculture were concerned, had yet to rise from a condition of things which can only be described as a condition of utter barbarism. It is difficult to believe that only one hundred and forty-six years ago, when already great advances had been made in agriculture south of the Highland mountains, the habits of the people in an island within two days' sail of the Clyde should have been so rude as those described by Culloden. 'To touch at present,' he says, 'but one article: barley is the great product of Tyree. There never was one sheaf of barley cut in Tyree since the beginning of the world; nor can it well be cut so long as the present method of culture continues, which occasions their pulling up the straw by the roots, the burning the grain in the straw, and all the other ridiculous processes of husbandry which almost utterly destroy the island. By burning the straw their cattle perish for want of fodder in hard winters. The burnt corn is ground in *Quairns*, and thereby becomes hardly saleable. . . . For want of fallowing, or leaving out one yard of their ground any one year, the whole is so overrun with rank strong weeds, that it is an absolute impossibility to drive a sickle through it. I never saw fields covered with greater loads of herbage than their corn-fields are; but when you come to examine them hardly one-tenth part is corn—the rest is all wild carrot, mustard, &c. The poor creatures do not know which way to clear their fields of these weeds, and think of nothing but to pluck up the corn as their ancestors did, which leaves the seeds of the weeds time to ripen and shed in order to more complete crops of them against next year.' Culloden suggests that a skilled farmer should be brought from East Lothian, or any other county, to teach the people the elements of husbandry.

There is not a word in this report referring to the potato, or to kelp. But it was not long after this date that both were introduced: and it cannot be doubted that the real progress of agriculture was retarded by the acquisition of new resources which enabled the people to live without much exertion, and in a kind of low abundance which they had never possessed before. On the other hand, it is to be considered that the introduction of any root-crop was a step towards that rotation of produce which is an essential condition of modern agriculture.

It is a curious illustration of the extreme difficulty of establishing among Highlanders any new practice whatever, however obvious or simple, or however well established close beside them, that to this day, although there has been immense improvement, the crofters in the West Highlands hardly ever possess a garden, or even a kailyard. In the Ross of Mull the servants and officers of the Lighthouse Commissioners have made, upon the land they hold from me, most excellent gardens, which have proved the high productiveness of the soil in the growth of the finest vegetables. Yet within sight of these gardens, the crofters, who often possess naturally much richer soil, have in no one instance, so far as I know, attempted to imitate so excellent an example. In one crofting township close to my own residence at this place, by dint of instruction and encouragement by prizes, gardens have been made by the tenants, which produce all the commoner, and some of the more delicate, vegetables with complete success. But in this as in all other things, every beginning has to come, and has always come, from the proprietor. Yet it is not too much to say that in a county where stones are abundant for the building of enclosures, and where there is often plenty of

time on hand, a very moderate amount of exertion in making and maintaining a kitchen-garden well stocked with beet, carrot, parsnip, turnip, and the commoner 'greens,' would often make all the difference to a family between scarcity and comfort. I have already made a proposal, and have offered assistance in this matter, to one of the crofter delegates who appeared before the Commission in the Ross of Mull, and I hope that some day my tenants there may see their way to the practice of a very simple art which almost everywhere else in the low country is at once a great pleasure and a great economical resource.

LXXXV.

His Grace the
Duke of
Argyll.

ARGYLL.

31st December 1883.

2.—SECRETARY, ROYAL COMMISSION (Highlands and Islands), to His Grace
the DUKE of ARGYLL, K.G., K.T.

I am directed by the chairman of the Royal Commission to acknowledge the receipt of your letter of 31st December, which has been printed and laid before the Commissioners, and which will be reproduced in the appendix to their report.

Your Grace has referred in your present interesting communication to a report addressed by Mr Forbes of Culloden, to John, Duke of Argyll and Greenwich, respecting the condition of his estates in Mull, Morven, and Tyree, in the year 1737. Your Grace would confer an obligation on the Commission by communicating to them the report in question *in extenso* if you think it right to do so, and also a copy of any instructions under which Mr Forbes of Culloden may have been acting, if such exist, and any other document in your possession illustrative of the tenure of land, or the condition of the Mull tenants at that period.

The chairman would be obliged to your Grace if you would have the goodness to state whether at the time referred to, there were any examples of small tenants occupying and cultivating a township or farm in common, and paying rent directly to the proprietor, or whether the small tenants were invariably sub-tenants to the tacksman in the districts with which the family of Argyll was connected.

Your Grace has stated that Mr Forbes 'persuaded some Highland gentlemen in his own company to make offers with which he immediately closed.' I am directed to ask what is the exact sense of the words 'in his own company,' whether it refers to persons by whom he was attended, or to officers belonging to some company of Highland Militia which had been raised by Mr Forbes or by the Duke. It would also be important to know in what measure the new settlement was effected with the new tacksmen, and in what measure with the sub-tenants directly, whether in the case of the new tacksmen, distinct provisions were made for the protection of the sub-tenants from services and exactions, and whether the transaction was attended with an increase of rental, and to what degree. A copy of a lease granted to the new tacksmen, or to the sub-tenants, raised to the condition of tacksmen or tenants would also be of interest to the Commissioners and to the public.

Your Grace will kindly excuse the trouble which may be imposed upon you by these enquirers. The Commissioners are sensible that it is in the records of estate management that the most trustworthy sources of information respecting the social condition of the Highland people in former times may be found, and

LXXXV.
His Grace the
Duke of
Argyll.

such records are naturally most frequently preserved in families which, like that of your Grace has long possessed a hereditary interest in the same province.

MALCOLM M'NEILL, *Secretary.*

EDINBURGH, 10th January 1884.

3.—THE DUKE OF ARGYLL, K.G., K.T., to LORD NAPIER and ETRICK, K.T.

MY LORD,—I readily comply with your Lordship's request that I should communicate to the Commission for publication *in extenso* the very curious and interesting report on the island estates of my family, addressed to John, Duke of Argyll and Greenwich by Forbes of Culloden in 1737.

In regard to one matter, however, I do so almost with a feeling of compunction. That report is expressed with great severity as respects the conduct and habits of a class which then was, and had long been, one of the most essential elements of society in the Highlands—the class of gentlemen tenants who held farms under leases or tacks from the proprietor. The remnants of this class survived almost down to our own times, and I have a personal recollection of some of them, all of whom were excellent, and some of them even distinguished men. Some of them were old soldiers, whilst not a few were the descendants from collateral branches of the Argyll family, or relatives of other proprietors in the county. None of them were farmers in the modern sense of the word, although some of them acquired a taste for and knowledge of the breeding of cattle, by which they made an adequate profit over the very moderate rents which they generally paid. Beyond this, and perhaps the making of some fences, very few of them were agricultural improvers, and I know of no case in which any great step was taken by men of this class in introducing into the Highlands those reforms in the cropping of land of which the country stood so much in need. On the other hand, all those whom I have known or heard of belonging to this class were gentlemen in the best meaning of the term,—men incapable of a dishonourable action, and disposed to deal as justly and humanely with their inferiors as was consistent with the standard of obligation universally recognised in their day and generation. It is possible that Forbes of Culloden, though himself a Highlander, may not have kept fully in mind what that standard of obligation was in the remoter parts of the country where the progress of law and of legally defined rights had not yet broken down the vague customs and usages which were universal in the middle ages. It is well, however, that the glamour which fiction and romance have cast around those usages should be dispelled by the broad daylight of Culloden's evidence, and that the incompatibility of those customs with the first elements of our modern civilisation should be seen now as it was seen before the 'Forty-Five,' by a great lawyer and a great statesman, brought into personal contact with the whole condition of which they were a typical example.

In particular, I would direct your Lordship's attention to the nature of the 'services' or 'exactions' which were imposed on the sub-tenants by the tacksmen or leaseholders. They were doubtless the same as those usually paid to proprietors where there were no tacksmen, and where such proprietors were of the smaller class, living on the spot as the tacksmen did. The precise nature of these services is not explained by Culloden; but your Lordship will find them given in detail in a very instructive paper drawn up in 1795 by the celebrated Sir John Sinclair for the Board of Agriculture. That paper

refers especially to the northern counties of Cromarty, Ross, Sutherland, and Caithness, with the Islands of Orkney and Shetland. But the same customs prevailed everywhere in the Highlands, and, indeed, at a still older date, over the whole British islands. Specie or money being very rare, the rents of the small tenants were principally paid in grain-bear or oatmeal. 'In addition to the rent,' says Sir John, 'the tenants of that description were bound to pay the following services, namely, tilling, dunging, sowing, and harrowing a part of an extensive farm in the proprietor's (or tacksman's) possession, providing a certain quantity of peats for his fuel, thatching a part of his houses, furnishing straw ropes, or ropes of heath for that purpose, and for securing his corn in the barnyard, weeding the land, leading a certain quantity of turf from the common for manuring, mowing, making, and ingathering the hay, the spontaneous produce of the meadow and marshy ground, cutting down, harvesting, threshing out, manufacturing, and carrying to market or seaport, a part of the produce of the farm. Besides these services, the tenants paid in kind, the following articles under the name of customs, namely, straw bags, ropes made of hair for drawing the plough, reeds used for similar purposes, tethers which being fixed in the ground by a peg or small stake, and the cattle tied to them, prevented them from wandering over the open country—straw for thatching, &c. The tenants, also, according to the extent of their possessions, kept a certain number of cattle during the winter season,—paid vicarage on the smaller tythes; as of lamb, wool, &c., a certain number of fowls, and eggs, veal, kid, butter, and cheese; and on the sea-coast, the tithe of their fish, and oil, besides assisting in carrying sea-ware for manure. Sometimes also a certain quantity of lint was spun for the Lady of the house, and a certain quantity of woollen yarn annually exacted. Sir J. Sinclair tells us that such were the 'services' 'which almost universally prevailed,' in the county of Caithness, so late as thirty or forty years before he wrote—that is so late as say 1760, or twenty-four years later than the report of Forbes of Culloden.

It is needless to say that payments, and services so numerous, so various, and so indefinite in amount might be so worked, and indeed, could not fail to be so worked as to leave the tenant no certain time for the cultivation of his own land on any improved system.

Now, it is important to observe, that most of these services and exactions even when due, never could have been actually imposed by the great land owners, because they had no farms in their own hands scattered all over the country upon which alone such labour could be of any value. But the smaller proprietors could, and did exact them at least near their own residences; and when 'tacksmen' were allowed to sub-let without restrictions, these services must have become widely oppressive and destructive to industry.

The reform, therefore, which must have resulted from the double operation of letting farms directly to those who had been sub-tenants, and of limiting or abolishing the power of imposing services in the hands of individual tacksmen was a reform of the first order of importance.

Not having been able to find any copies of the leases actually given so early as 1737, in pursuance of the new system recommended by Culloden, I do not know the precise matters taken to enforce the change. But it is certain that the change was affected, because amidst the numerous subsequent reports upon the barriers to improvement on the island estates, of which I am in possession, I find no allusion or reference to the evil which is the great burden of Culloden's animadversion.

But as I am in possession of some of the leases which were granted nineteen

LXXXV.
His Grace the
Duke of
Argyll.

LXXXV.
 His Grace the
 Duke of
 Argyll.

and twenty years later by Archibald, Third Duke, I am able to explain the general nature of the passage which was effected from the old to the modern usage. As the Lord President Forbes was as intimate, a friend of this Duke as he had been of his more illustrious brother, it is probable that Duke Archibald's leases embodied the recommendations of Culloden. In the first place, the 'tacks' or leases given in, and subsequent to 1755, prohibited sub-letting altogether, unless by the special permission of the proprietor, which permission could always be made conditional, and it is remarkable that they prohibited also, as part of the same system, all 'precarious tenures' that is tenures a will, with dues as uncertain as the tenure. In the second place, the leaseholder himself although still bound to perform for the proprietor certain services as part of his rent, had these services not only strictly limited and defined, but made redeemable at a fixed and specified rate of commutation. So many days' service each year—twelve or twenty-four days—was the usual stipulation, and it is a curious illustration of the enormous change in the value of labour, as well as in the value of money, that one days labour was commutable at the rate of one penny—so that twelve days service in the year was redeemable by the addition of one shilling sterling to the rent. It was, moreover, a special part of the stipulation that the labour or service could not be exacted either at seed time or at harvest. In this modified form, the rendering of a certain fixed amount of service or days labour each year, the stipulation survives at the present day; and there are cases in which tacksmen have a most just and equitable right to similar fixed amounts of service, as in the spreading of seaweed for manure, where it is the recompence for privileges of access to the shore through the tacksmen's fields.

The report of Culloden in its full text will answer several of the questions which I am asked in the letter of Mr M'Neil now under reply. You Lordship will observe that not the smallest doubt or difficulty is even alluded to as regards the Duke's perfect freedom to let his farms to whomsoever he pleased at the termination of the old leases, so that the tacksmen had no customary tenure whatever, but were bound to remove, if required to do so, at the end of the term specified in their written contract. This is worthy of observation, because it shows that these technical difficulties, in respect of removals, had not yet arisen, which nineteen years later, in 1756, compelled the Court of Session to pass the Act of Sederunt of that year, by which the enforcement of written contracts was facilitated, and the principles of the old Act of 1555 received a logical and legitimate application to the new conditions of agriculture. Your Lordship will find a remarkable statement as to the salutary influence of the highest court in Scotland, upon the conditions of tenure in the report of Dr Anderson on the county of Aberdeen, in 1795, one of the same series of reports to which I have before referred, as addressed to the Board of Agriculture, of which Sir John Sinclair was president. Dr Anderson's statement is to the effect that the authority of the court was always adverse to vague and indefinite obligations—and especially to covenants which were not such as could be ordinarily enforced, but were only calculated to deprive tenants of that security which their leases purported to give.

My former letter to your Lordship, dated October 1st, 1883,* will have explained to your Lordship that the overcrowding, and poverty which arose in Tyree, were entirely due to the abeyance into which the prohibition against sub-letting and subdividing were allowed to fall, after the introduction of the potato and of the kelp manufacture had blinded the eyes both of proprietor and people to the precariousness of the abundance on which they relied.

* Published as a pamphlet.

In conclusion, I ought to explain to your Lordship that the lands referred to, in Culloden's report in Mull, represent large estates which no longer belong to me, whilst also the whole of the farms in Morven are now in other hands. And to this fact, I may be allowed to add, that so far as I know the lands which still remain in my family are, the only lands where crofters still form any considerable portion of the tenantry.—Yours truly,

LXXXV.

His Grace the
Duke of
Argyll.

ARGYLL.

16th January 1884.

P.S.—Since writing the above letter, I have recovered some leases given in 1738-9 in pursuance of Culloden's advice, and by him acting as Commissioner for John, Duke of Argyll and Greenwich. One of these is given to a number of small tenants holding one of the farms in the Ross of Mull. It confirms the explanation I have already given in respect to services. A fixed money rent is substituted for these, which for the future are expressly abolished or discharged; and the only services of labour retained are for certain specified purposes connected with the general good of the district and of the island, such as 'repairing 'harbours, mending highways, and making or repairing mill-leads,' 'for the 'general benefit of the island.'

4.—DUNCAN FORBES of Culloden to JOHN, DUKE of ARGYLL and GREENWICH,
dated 24th September 1737.

MY LORD,—In pursuance of what I acquainted your Grace with in my last, I set out from Edinburgh the 3rd of August on my insular expedition, and got back to this place the 16th of September at night, so tyred that I was not able by the post that went from Inverness next morning to give your Grace any account of my proceedings.

From Edinburgh, I was accompanied by Ronald Dunbar Macmillan and by Sir Duncan Campbell, who was so obliging as to make out the whole campaign with me, in which he was of great use, his boat and a serjant with eight men of his company, whom I begged of Brigadier Guest, contributed not a little to the transportation and security of ourselves and our luggage.

Our road was thro' Broadalbine and Glenorchy to Lochawside, where we were received by the Sheriff and the factors, with whom, after waiting a few days at Sir Duncan's for the barge, we proceeded to Arros in Mull, where we sojourned some time under hutts and tents, but the inclemency of the weather soon made the last impracticable.

Upon my arrival in Mull I called the tenants of that island and of Morvern before me, and acquainted them with your Grace's favourable intention of delivering them from the tyranny of taxmen, of freeing them from the oppression of services and Herezelds, and of encouraging them to improve their farms by giving them a sort of property in their grounds for 19 years by leases, if they showed themselves worthy of the intended favour by offering frankly for their farms such rent as honestly and fairly they could bear.

Your Grace may remember I did not, from this proposition, expect any considerable advance of rent on the farms that were in the occupancy of the natives. The small tenants, whose rents were already stretched by the late taxmen as high as they could well bear; but I flattered myself that these would have cheerfully offered the rent they payed to their late taxmasters with

LXXXV.

His Grace the
Duke of
Argyll.

some trifle more. I hoped that the exemption from oppression and the certainty of possessing their grounds for the term of their leases, would have enabled them to pay to your Grace the rent stipulated better than hitherto had been done, and I imagined that the late taxmen and their friends, who are called gentlemen, to whom they let farms very cheap, either from favour or for grassums would have bid reasonably for their severall possessions in consideration of the intended lease.

But to my very great surprise, every creature, from the highest to the lowest, seemed to undervalue the leases proposed. The little tennents, for so I shall call the Ter tennents, offered all to a man far short of what they payed to the late taxmen. These taxmen, and those whom I lately called gentlemen their friends, offered far short of the value of their possessions, and justified the little tennents for their low offers, alledging the badness of the seasons, and the low price of catle for some years as reasons for their inability to pay more ; and when they were asked whether the possessions of those little tennents were not worth as much under the conditions proposed by the leases, as they were formerly when subject to the oppressions of exactions of the taxmen, they answered that the little tennents were now totally impoverished and unable to pay, and that they could not be brought to understand the value of a lease, and in conformity to this way of reasoning the little tennents pleaded poverty to a man, and severall of them declared themselves more willing to pay a high rent without than with a lease.

A This sort of behaviour, which was exceedingly disagreeable to me, led me very soon to discover that the whole was the effect of a combination, which for some time had been framing without any care taken to counteract it. The late taxmen and their friends the gentlemen, who possess at easy rents, were, with reason apprehensive, that if the little tennents bid the value of their possessions, their own must be considerably raised, they, therefore found means to persuade those poor people who, to tell truth, are in miserable circumstances, and naturally desirous to take advantage, that if they stood out unanimously they might have their farms for what they would ; that the inclemency of the weather would soon drive me out of the island, and leave them in possession of it at what rents they might think fit to offer ; that their lowering their rents might well be justified by their present poverty occasioned by the badness of the seasons and the low price of catle for some years past, and those inducements were backed by apprehensions of danger industriously sowed amongst them ; that if any of them did presume to offer the full rent, he should be overbid by some of the gentlemen, who would be preferred to him, and be consequently driven from his possession into beggary and starving.

A combination of this kind was not easy to be broke by reasoning or persuasion, especially when all those who understood my language were, from interest, the promoters of it, I therefore, after many days patient attendance found out two or three people who offered above the rent for so many farms. I struck the bargain that moment with them, declared that since all the rest of the people of Mull and Morvern had, by their rascally conduct, proclaimed themselves unworthy of your Grace's favour, I would let no more of your Grace's lands to them, but leave them in the same misery and distress in which I found them ; that if the lands were to ly waste till better tennents could be found, you could bear it, and I would much rather choise to do so than to have it possessed by such rogues and fools as would enter into confederacy, to defraud a person who had entertained so compassionate purposes towards them ; and immediately gave orders for sailing to Tiry. But before I went on board I suffered myself to

be intreated to call on my return at Mull, and to receive any further propositions that might be made to me.

LXXXV.

It happened very luckily that one of the promoters of this confederacy, Maclean the minister, had an advantageous farm, for which he offered far short of the value, notwithstanding all my arguments and entreaty with him personally, because he could understand me. This was one of the three farms which we found a person to bid the value for. The minister seeing himself by his own cunning beat out of an advantageous possession he had for many years enjoyed, was raving mad, and you may believe his fate caused some speculation in Mull before my return from Tirry.

His Grace the
Duke of
Argyll.

From Arros in Mull, we set sail in the morning, and arrived in Tirry before sunset. The people we found more wretchedly poor there than in Mull, as they had been more unmercifully pinched by their exactors. I thought it was proper to view with my own eyes the grounds, and to enquire into their manner of managing them, and their condition, before I made any propositions. And having spent two or three days in that sort of occupation, I called the people together, explained the end of my coming to such as understood English, made the Sheriff do the same in Irish, to such as understood no other language, and to prevent mistakes, put the heads of my speech in writing, which I delivered to the Sheriff to be translated into Irish. Several copies were made and delivered to the tenants of the different districts, who were desired to consider well of them, and to meet me two days after with their resolutions. They came accordingly, but, notwithstanding all the means I had used, they played the Mull game on me all to a man; their offers were all under the present rent, and several of them persisted they would take no leases. Upon this I was forced to do just as I had done in Mull. Two of Sir Duncan's brothers were by him persuaded to make a handsome offer above the present rent for five different farms, as were also two more persons of the island for other possessions. These offers I immediately accepted off, and declared as I had done in Mull, that I would let no more of your Grace's land in Tirry, since the people showed themselves so unsensible of your goodness, or so ungrateful. That I would lease them to their former exactors, which was to them a dreadful threat, and that in two days I would sail on my return to the mainland. In the meantime, I suffered the people who were about me to hint that if proper offers were made before my departure, there were still some hopes they might be received.

Upon seeing some of the lands let, as I have mentioned, contrary to their expectations, and the concert which had been made amongst them broke in upon the threat of leaving them to their former slavery begun to work, they came in one after another with offers, a trifle above what they formerly paid, which, for the poor tenants, whose possessions had been pretty well stretched by their former masters, was as much as what well could have been asked. The gentlemen bid for their own possessions something more. The two ends of Coll, which formerly paid £33, 6s. 8d., were contended for by the Laird of Coll and MacLachlen, one of the former taxmen, and carried by Coll, who is henceforward to pay £58, 6s. 8d. In short, adding one day's patient stay to another so long as the state of our provisions would permit, five-sixth parts of the island, besides the two ends of Coll, were set, and directions were given for receiving offers for the remaining sixth, which for the greatest part, is at present waste.

The unmerciful exaction of the late taxman is the cause of those lauds being waste, which had it continued but for a very few years longer, would

LXXXV.
 His Grace the
 Duke of
 Argyll.

have entirely unpeopled the island. They speak of above one hundred families that have been reduced to beggary and driven out of the island within these last seven years. Offers were made for parts of some of the farms or townships that are not now set. But I refused to accept of them unless the offerers would find hands to take off the whole township or farm together, because the possessor of one part would profite of the grass of the other, so long as it remained unpossessed, and thereby find it his interest to keep it for ever waste. I am, however, full the whole will before next Whitsunday be filled up according to the directions I have given, and that the tennents, who have been overbid in their present possessions, will against next Whitsunday think of securing themselves in those which I left open.

The rent of the two ends of Coll, and that part of Tirry which is set, amounts to £484, 15s. 6d, the rent of the sixth part of Tirry still to be let, if set in proportion to the rest will be £85, 5s. 9d., so that the constant rent in time coming will be about £570. Your Grace may remember the rent payable by the for. taxmen even after the augmentation agreed to at Inverara, was no more than £324, 17s. 9½d., and the rental given up by them, according to which they said they collected was £422, 15s. 4½d., so that if our labours produce a constant rent of £570, somewhat is thereby got to your Grace, at least there will be room for making a small expense, hereafter to be mentioned, which will for ever secure a good rent.

The shortness of our provisions, occasioned by a stay much longer than we intended, and the uncertainty of the weather, made us quit Tirry sooner than otherwise we should have done, in our voyage to Mull we touched at Coll, which we spent a full day in viewing, and arrived safe in Mull the third day. It was well we were obliged to leave Tirry so soon, for the factor whom we left behind us for one day to regulate some things, while we visited Coll, was wind bound there for severall days after we found ourselves safe in Mull.

To prevent much loss of time in Mull, we sent a messenger before us to give notice of the day we intended to be at Arros, and that we were to remain there for three days, to the end the tenants of Mull and Morven might have an opportunity more of mending their offers; the examples made before I left the island and the proceedings of the people of Tirry, very different from their expectations, helped much to break in upon their combination. I convinced the little tennents that they were not to stand in awe of the gentlemen; by preferring them when they bid reasonably for their own possessions to the gentlemen, who out of caprice or pique, attempted to turn them lose into the world by overbidding them, and at last after much patience and tribulation, in eight days time, the whole estate in Mull, except one tenement of £10, 13s. 4d. Rent was set, very much to the surprise of all my company. Your Grace may remember the rent paid by the former taxmen for your estate in Mull was £500. The rental sometime since tak up by the Sheriff £669, 8s, 10½d. And the rental of the set now made, including the rent of the tenement not yet set, is £793, 19s. 5d.

With regard to Morvern, upon very careful examination, I found myself obliged not to expect any such increase of rent. The former taxmen had, indeed, a very good bargain, because they paid your Grace no more than £222, as I remember upon the determination of their lease the Sherriff was sent thither to take up a rental which, made out, upon what the tennent's were said to be willing to pay, amounted to £467, 4s. 7½d., and this rental the present factor collects by. But he has been obliged (to prevent lands growing waste) to dispense with some of the casualties. In short, what encouraged the then

possessors to offer so high a rent was the vicinity of the works then carrying on with great expense in Sunart and Morven, which afforded mercats for all their product at high prices, the decay of those works reduces the value of their goods, and has been the ruin of several who dealt with them. This being the real case, I was obliged to do the best I could to content myself with the present rent, or a very moderate augmentation, where I could have it; and in two cases to get even a trifle below the present rent. The one is that of the lands of Lawdoll, &c., which formerly payed £54, 14s. 5½d., and are now set to Alexander Maclachlan, late taxman of Coll at £48, the highest offer which is £6, 14s. 5½d. short of the former rent, but in setting him this possession, I had consideration of his having raised very high the rent of Coll by bidding heartily for it, as I have already observed. And the other is the farm of Liddisdale which is now in the possession of Sir Alexander Murray at the rent of £41, 17s. 7½d., amongst with the Morven mines. It is in Sir Alexander's option to quit or continue the possession of those mines at next Martinmas. If he continue, he must continue to possess Liddesdale, if he gives up that possession, it must remain open to be set, this was the reason why I could conclude nothing finally about Liddesdale. But I was willing, whilst there, to receive offers provisionally for it, and £41 are offered which I am told is the full value, tho' a 17s. short of the present rent.

LXXXV.

His Grace the Duke of Argyll

There is but one tenement more in Morven called Invine, more rentalled at £13, 9s. 5½d. by the Sheriff which nobody having come up to the rent of in their offers, I thought fit to leave open to be set by the factor, and on the supposition that this farm shall be set at the full rent, your lands of Morven will stand set at £467, 2s. 5½d., on the supposition that Sir Alexander Murray shall throw up his farm of Liddesdale, which is but some shillings above the Sherriffs rental, and if he hold that farm, as he now do's, the rent will be some shillings more.

The improvement of the rent of Morven your Grace will observe is a mere trifle. But this I will assure your Grace, that my companions from whom I was to receive my lights, considered the setting of Morven without a considerable diminution as a greater miracle than the augmentation on the other estates, which at the beginning they seemed also to think impracticable.

Thus, I have given your Grace a rough sketch of what is done. I am sorry my endeavours have not answered your expectations or my wishes, but I am confident your Grace will not suspect the disappointment is owing to any want of care or patience in me. I have assigned, in the course of the narration, the true causes, the miserable poverty of the people, proceeding from the oppression of their late taxmaster: the badness of the seasons for some years, and the sensible decay of the demand for cattle.

But tho' your Grace's expectations or mine may not be answered as to the improvement of the rent, yet, in this, I have satisfaction, and it may be some to you, that the method you have taken has prevented the total ruin of these islands. And the absolute loss of the whole rent in time coming to your Grace, had the taxmen been suffered to continue their extortions a few years longer, the islands would have been dispeopled, and you must have been contented with no rent, or with such rent as these harpies should be graciously pleased to allow you; and if either I or some one else of consideration, and (if you will pardon me for flattering myself) of integrity had not gone of this errand, the havock already committed amongst the poor people by the extortions of their masters would have been a strong argument for giving way to the combination

LXXXV.

His Grace the
Duke of
Argyll.

that was formed in the severall estates, and of letting the lands everywhere far under the rent which is now to be expected.

Another advantage this expedition has brought you is, that the view I have had of the grounds, and the knowledge I have gained of the condition and manners of the people may prevent future impositions, and put your Grace in a method of improving your estate, by bettering the condition of your tennents, which in a small time will bring you a secure rent, and put it in the way of yeelding considerable augmentation, if, or when, a new set happens to be made. To touch at present but one article, barley is the great product of Tirry. There never was one sheaf of barley cut in Tirry since the beginning of the world, nor can it well be cut so long as the present method of culture continues, which occasions their pulling up the straw by the roots, the burning the grain in the straw, and all the other ridiculous proces of husbandry, which almost utterly destroys that island. By burning the straw their cattle perish for want of fodder in hard winters, the burnt corn is ground in quarins, and thereby becomes hardly saleable; and the practice of burning and grinding in that manner prevents your Grace's having any rent worth speaking of from Milns. The original error lys in this, that from want of fallowing out one yard of their ground any one year, the whole is so overrun with rank strong weeds that it is an absolute impossibility to drive a sickle through it. I never saw fields covered with a greater load of herbage than their corn fields are, but when you examine them, hardly one-tenth part of them is corn, the rest is all wild carrot, mustard, &c. The poor creatures do not know which way to clear their fields of these weeds, and think of nothing but to pluck up the corn as their ancestors did, which leaves the seeds of the weeds time to ripen, and shed in order to move complete crops of them against next year. Now, if at your Graces' expense out of the improved rent, a skilful farmer were brought from East Lothian or any other County, by example, to teach the people to clear their ground of weeds, and properly to cultivate them, their crops of corn would be double to what they are, leaving more room for grass. The straw saved would save their cattle from perishing in hard winters. Their grain brought to Milns to be dressed would yield a better price, and in that advantage your Grace would share, because some of your rent is still payable in corn and meal. Your rent would be secure, and you would have a considerable addition to the Miln rent which at present is a trifle, and which I would not set in lease for a term of years, because I expected this augmentation. Indeed, I have bargained for the building of one miln upon a farm that is pretty high set. The taxman is to be allowed £20 for erecting it, and is to leave it of the same value at the determination of his lease, and the size of it is to support the new method of culture above mentioned. But the other milns are still left open for improvement as your Grace shall see cause.

In Mull, I have also agreed to allow a sum not exceeding £8, 6s. 8d., for improving a miln at Arros, to be left at the determination of the lease in perfect repair, in hopes of bringing the people of that country to a better way of managing their corns.

The small island of Calva which forms the Bay of Tobermory in Mull, and a neighbouring tenement called Ballyscat, have been bid for above the former rent, but I declined finally to declare them set. Because, the only appearance of wood I observed in all your Grace's lands of Mull is on those two tenements, the wood there, it is true, is at present very scrub, but I am satisfied would if saved, rise to account. I, therefore, acquainted the intended tennents that their leases must be clogged with the preservation of the woods, if any leases

were granted to them, but that I would not absolutely promise to let the grounds at all in lease, because your Grace might possibly incline to shut out cattle entirely, and to fence the ground at the expense of loosing the rents for some years, but this there is time to consider of.

LXXXV.

His Grace the
Duke of
Argyll.

But what I have said of the misery of the people through the extortions of their late masters, and bad crops, and low prices for cattle, your Grace will guess at the present factors excuse for bringing together so small a portion of your last year's rent. He was not by his factory to receive such part of the rents as were payable by the late taxmen out of their own possessions. That is now directed to be paid to him, and as he received his factory late, and made no provision for disposing of such of the tenants cattle as might be delivered to him in payment of rent, he was forced to leave them in their own hands, who have before this time turned them into money, and it is owing to his having been employed all this while amongst with us that more of the rent is not yet brought together, tho' it is not impossible some of it may be lost by the very poor condition of the tenants who must for some time be tenderly dealt with, till they recover from a disease, which had it lasted very little longer, must necessarily have been mortal; I think the man, tho' slow, a very honest man, will do to the best of his understanding what he is desired, and knows the country better than any one I know who can be trusted.

I believe by this time your Grace is heartily tired of me and my islands. This abstract is only intended at present to satisfy your curiosity. Exact accounts of the particulars must come when things can be put more accurately together at Edinburgh. And leases must be made out for your signature, and directions given in conformity to what is projected, if your Grace approve of what we have been about.

I could entertain you with descriptions of the oddity's of your insular dominions, and with many observations that might be of use, but that such entertainment will keep cold.

It is very lucky that threw such a tract of bad weather, which the inhabitants of that climate say, was the worst they ever saw, we should all come off without any accident worth speaking of; my son was seized in Mull with a sneaking fever, which I cleared him of by taking between 30 and 40 ounces of blood, and giving him two or three vomits. Sir Duncan's tent, which he imprudently lay in for sometime, could not possibly secure him against the excessive rains and winds which prevail in these watery regions. He was seized with rheumatic pains at Tirry, without any doctor but myself, and I had no medicine but rhubarb and gum pills, however, I doctored him so well as to bring him home in the barge, and as I passed he was perfectly recovered. His volunteering it was undoubtedly of great use, to us.

I do not much wonder that M'Millan and the Sheriff stood it out well enough, because they were accustomed to such jaunts, but I confess I am surprised that Ronald Dunbar who never before lay without the reach of Edinborough bell, except once, that he attended your Grace in an expedition where everything was snug and convenient, could bear it out as he did. None of the natives complained less. As the shortest way, at least the best road to Edinburgh, he came alongst with me hither, and now he is to return.

Your barge is a fine boat, her waste is so low for the convenience of rowing, that she is rather to watery for those stormy seas, one moveable plank to be put upon or taken from the waste as occasion might require, would make her more convenient where squales of wind are so frequent, and the waves run so high. We had an excellent steersman, and no accident did harm. In our

LXXXV.

His Grace the
Duke of
Argyll.

voyage from Mull to the continent, the barge set upon a blind rock, but the wind being easy she got off next tide without any damage of consequence, and I proceeded in her next day to Fort-William, where I landed safe.

What proceeds was all written in my own hand, but the scrawl was so bad that I doubted your Grace could not without much trouble read it, wherefore I caused to copy it over in a hand writing that is somewhat more legible. The post calls and leaves me time to say nothing but what you already full well know, that I am very truly,—Your Grace's most humble servant,

DUN. FORBES.

CULLODEN, *September 24th, 1827.*

LXXXVL

ALLEGED CASES OF NEGLECT BY PARISH OFFICERS, BROUGHT BEFORE LXXXVL
THE ROYAL COMMISSION BY Mr J. MURDOCH.

ARDFENAIG, BUNESSAN, N.B.,
December 15, 1883.

Parochial
Board of
Kilfinichen,
Mull.

I enclose herewith copy Report by the Medical Officer and Inspector of this parish, on the cases mentioned by Mr John Murdoch in his evidence at Glasgow.

I may mention that the Report was submitted to a meeting of Committee of the Parochial Board on the 10th instant and approved.

HECTOR A. CAMPBELL, *Chairman,*
Kilfinichen Parochial Board.

In terms of instructions from the Parochial Board of Kilfinichen, we, Dr M'Kechnie, medical officer, and Alexander M'Gregor, inspector of poor, have the honour to report on a statement read at Glasgow before the Royal Commission (Highlands and Islands) by Mr John Murdoch, an extract of which has been received by the chairman of the parochial board of this parish and submitted to a meeting of the board on the 5th December 1883.

Alexander M'Gillvray was first put upon the out-door roll as a pauper in April 1879. In July 1880 he was offered in-door relief in Tobermory Poorhouse, to which he refused to go, and he was again readmitted on the out-door roll in September of the same year. Again, in July 1882 he was once more offered in-door relief, but declined to accept; and in September was again readmitted as an out-door pauper. He is also referred to in the General Superintendent's Report for this year, under No. 190, as a proper case for in-door relief; and the parochial board, at a meeting held on the 7th ultimo, decided, purely on charitable grounds, to have him sent to the poorhouse. This offer he has again refused, saying, 'he will rather starve than go there.' About a year ago, he was in rather delicate health for a short time, and a sister of his was paid for attending him, to whom the inspector supplied clothing for her brother. His body clothes have always been fair; but his slovenly habits are such that he does not put them on in a tidy manner, and prefers sleeping with them on. He has been supplied on more than one occasion with clothing.

Widow Ann Currie. With reference to this woman, a neighbour, Hector M'Lean, certifies that he was paid for taking home peats to her; and that the Alexander Campbell referred to in Mr Murdoch's statement, did not go to the inspector to intimate her death or to ask light. The present inspector, Mr Alexander M'Gregor, had newly entered on his duties, and was at Lochgilphead Asylum with a lunatic at the time.

Peggy M'Lean was never a pauper on the roll of this parish. She applied for relief at one time and received interim aid until a meeting of the parochial board, when she was offered the poorhouse and refused to accept. She was then self-supporting until her death, which did not take place until about two years after.

Neil Black. Owing to a long confinement to bed, prior to death, bed sores formed in the region of the hip-joints. The medical officer attended him

LXXXVI.

Parochial
Board of
Kilfinichen,
Mull.

regularly, cleaned and dressed the wounds, and certifies that everything was done for his comfort that was necessary. He had two sisters living in the house with him, and during his illness both of them were quite able to attend to his wants. He had two or three pairs of new blankets in a chest, but neither he nor his sisters would take the use of them.

Widow M'Donald. A woman was regularly employed to attend to this pauper for more than two years before her death. She was during all that time kept clean and tidy, as is certified by the medical officer and the inspector.

Donald Black. This man was never a pauper on the roll of this parish. When he was laid up with the illness which terminated in death, the inspector sent a woman to attend him, his wife not being strong at the time. His widow, whose death occurred shortly after that of her husband, denied having any means of her own; but sometime after her death, a neighbour gave the inspector £1, 17s., which he had in his possession belonging to the said Widow Black. During the latter's illness a nurse was engaged to attend her and keep her clean; and the medical officer and inspector, who visited her regularly, saw that their instructions were carefully attended to.

(Signed) ALEX. M'KECHNIE, *Medical Officer.*
" ALEX. M'GREGOR, *Inspector.*

Extract Minute of Meeting of the Parochial Board of the Parish of Kilfinichen, held at Bunessan, on Saturday, 29th December 1883. Inter alia,—Case of Ann Currie or M'Donald, whose corpse was alleged to have been gnawed by rats.

The board have examined Alexander Campbell, who is given by Mr Murdoch as his authority for the statement. Campbell adheres to his statement, but the board find several discrepancies in his evidence, and some of his statements regarding the case have been proved by the books of the board and other satisfactory evidence to be incorrect. The board desire to bring before the Commission the circumstance, that in their opinion his evidence may properly be regarded with suspicion.

The persons who were present at the coffining of Ann Currie or M'Donald were Alexander Campbell, Allan Cameron, Roderick Beaton, Widow Archibald Cameron, and Mrs Allan Cameron.

No statement that the corpse was gnawed by rats was made by any of the above-named, except by Alexander Campbell.

Hector M'Lean, a neighbour, and husband of the woman who was paid for attending the deceased, states that two weeks prior to her death, she stated in his presence and that of Malcolm Beaton, another neighbour, that she had placed in the custody of Widow Archibald Cameron, a relative, the sum of £5, to defray her deathbed and funeral expenses. Mrs Archibald Cameron admitted to witness that she had received £2 of the above sum, and in consideration thereof, she took charge of the corpse and funeral arrangements, and paid £1 of it for a cart to convey the body to the place of interment, a distance of twenty miles (this distant place of interment being selected by the deceased prior to her death). This witness saw the body before coffining, and there was then no appearance of its having been touched by rats.

This evidence was fully corroborated by Mrs Hector M'Lean, the wife of the previous witness.

Roderick Beaton, a neighbour, who assisted at the coffining, corroborates what is said by Hector M'Lean as to the body not having been gnawed by rats.

Neil M'Donald, a step-son, states that he did not see the slightest trace of the

body having been touched by rats, and only heard recently that Alexander Campbell made such a statement. The medical officer attended deceased regularly, and certified the cause of death to have been 'chronic lung disease.'

LXXXVI
Parochial
Board of
Kilfinichen,
Mull.

The board consider the above statement a complete refutation of the scandalous allegation made by Mr John Murdoch.

With reference to the expression 'many powered inspector,' made use of by Mr Murdoch, the board desire to explain that the powers held by their inspector are only such as are competent and legal under the Poor Law Act, and the board are satisfied that he has at all times exercised these powers with discretion and judgment.

The three points stated by Mr Murdoch with regard to the two cottages occupied by paupers at Lower Ardtun are (1) that they are neither wind or water tight; (2) that the damp rises through the floor in them; (3) that the smell in them is the same as of places where fever had broken out.

(1.) The members of the board visited these cottages on the 26th inst., and found that there was a slight leakage in the roof, caused by some of the slates having been blown off by the recent gale, and the defect has since been remedied.

(2.) The board also found that in only one of the four apartments was there any damp rising from the floor, and that only in a very slight degree, and they consider that this has been caused by the incessant rains which have recently prevailed in the district.

(3.) Mr Murdoch's statement as to a smell existing in the cottages is incorrect. The board having questioned the inmates, they all, with one exception, stated that the cottages were much superior in comfort to the houses they previously occupied.

As regards the past condition of these cottages, the board have to state that, since their erection in 1877, they have been in much the same state as at present, with the exception of the damp in the floor of one room, and the slight leakage in the roof above referred to, both of which have only recently existed. These houses have always been repaired as occasion required.

The board may also state for the information of the Royal Commission, that these cottages were erected by the Duke of Argyll, at considerable expense, with a view to ameliorate the condition of paupers who had hitherto been housed in thatched buildings.

LXXXVII.

LXXXVII.

Rev. R. Rainy,
D.D., and Rev.
J. C. Macphail.

STATEMENT for the Free Church and its Committee for the Highlands, by the Rev. ROBERT RAINY, D.D., Principal of the New College, Edinburgh, and Rev. JAMES CALDER MACPAIL, Minister of Pilrig Church, Edinburgh.

ON account of the relation in which the Free Church stands to a great part of the population of the Highlands, it has been thought desirable that a statement should be made to the Commissioners, explanatory of some points in which that Church is interested, and in connection with which she might be misunderstood. It is proposed to advert, first, to some of the aspects of the work heretofore done by the Free Church in the Highlands, and then to the condition of the people among whom that work is carried on.

At the Disruption in 1843, the people of the Northern and North-western Highlands attached themselves to the Free Church, almost in mass; while in most of the other Highland districts a large section at least of the population took the same course. These circumstances afforded encouragement to the Free Church to prosecute church work in the Highlands. At the same time, they imposed upon her a grave responsibility, directly with reference to the administration of Christian ordinances, less directly with reference to the general condition of the people, in so far as that might be affected by the religious training which they received. These responsibilities have had to be discharged under the pressure of very considerable difficulties.

One obviously arises from the prevailing poverty of the people, which limits their power of contributing to the support of Christian ordinances among themselves. The Free Church has never hesitated to encourage and stimulate them to contribute for this purpose according to their ability. She has regarded such contribution as a Christian privilege, and as fitted to elevate the character, and increase the self-respect of the people. At the same time, she has willingly embraced the corresponding privilege of aiding those of her congregations, in the Highlands as well as in the Lowlands, which need aid in this department. During the forty years now expired, in addition to the cost of educational work, the Free Church has expended on the Highlands, through the Stentation Fund and through the Highland Committee, beyond what she has received from her Highland congregations, a sum which it would not be easy to reckon exactly, but which amounts to very many thousand pounds.

In connection with this matter of the poverty of the people, it may be right to mention what was done when the famine of 1847-48 took place. The Free Church people, having probably received an earlier and deeper impression of the urgency of the crisis, commenced the raising of funds and the distribution of aid in the Highlands before any other important effort was set on foot for that purpose. The sum raised amounted to £15,608. When the general community became impressed with the true state of the case, as it speedily did, and roused itself to charitable action, the Free Church threw

the balance of the funds previously raised—£11,674, in money and provisions—into the common stock, and took part heartily in the work of raising further funds, which were dispensed by a common, and of course a non-denominational, management.

LXXXVII.

Rev. R. Rainy,
D.D., and Rev.
J. C. Macphail.

Another hindrance is presented by the rugged nature of the country (divided by mountain ranges and arms of the sea), and the sparse and scattered condition of the population. Hence has arisen difficulty in organizing congregational arrangements, and in providing, in the degree that might be desired, for the Christian instruction and edification of the people. Especially in the earlier years of the Free Church, great difficulties existed, creating wants which were only supplied by most laborious itinerating service on the part of many devoted ministers. Great progress has gradually been made in filling up the outlines of our system with agency and organized work; but there are still difficulties to overcome, and extensive wants to supply. At the same time, it is right to remark that the injurious effects of this relative deficiency of facilities for religious service are modified by several causes. One is the fact that the peculiar types of demoralization so characteristic of town life, and even of large villages, where the population is heterogeneous, are far less operative in a population like that of the Highlands. Another is the undoubted disposition of the people to value religious ordinances, and to resort gladly to such opportunities as are afforded them. This by no means implies a decided religious character on the part of all to whom the description applies; a distinction which is perfectly well understood among the people themselves. But it greatly aids in making the most of a comparatively scanty supply of ordinances in the districts where the supply is limited; and also in averting the indifference which is apt to arise when the call to public worship is less regular and less frequent than is desirable.

Great help has been afforded by agents, generally men of ripe years and approved character, drawn from the people themselves, and labouring under the name of Catechists. Grants are made to about thirty-five of them from the funds of the Highland Committee. Their duty is to see to the religious instruction of families, and to conduct prayer meetings and other meetings for worship in the necessary absence of the minister. Donald M'Queen, who appeared before the Commissioners in Skye, is the oldest now in the service, and has been a very useful and much respected labourer.

Another difficulty has been felt in the somewhat scanty supply of Gaelic-speaking men qualified for the ministry in Highland charges. It must now be said, however, that partly through the Grammar School Bursary Scheme, and partly by the provision of College bursaries, channels have been opened by which Gaelic-speaking young men are enabled to attain more easily the standard of qualification prescribed by the Church.

Having referred to the vexed question of the language, a few words may here be said on that subject; though it must be referred to again in connection with the subject of the educational work of the Church. The principle acted on has been that of paying regard to facts, and not to theories, nor yet to sentiment. To reach the minds and hearts of the people, it is necessary to speak to them in the tongue which they best understand. Also when the people, though not ignorant of English, decidedly prefer to have religious instruction in the Gaelic language, it is necessary to have regard to that preference, while the disposition to use English must also be provided for, so far as it exists.

It is certain that the ready and expert use of English would be of immense benefit to the people, especially in respect of the advantage it would

LXXXVII.

Rev. R. Rainy,
D. D., and Rev.
J. C. Macphail.

give them for bettering their circumstances, and for sharing in the movements of the national mind and life. Any disposition to hinder the acquisition of English, or to keep the people shut up in Gaelic, would be lamentably foolish. On the other hand, all ideas of rapidly suppressing the Gaelic language, or getting rid of it, by refusing to recognise it when it is the actual language of the people, are equally foolish and equally unjustifiable. It seems to be thought by some that because the children are now usually taught in English in the schools for a few years, it is reasonable to expect them thenceforth to forego the language of their homes and their associations, and to think and speak in a language which they have learned as a foreign tongue. This is a mistake. We are dealing with a people who certainly love their own tongue, and feel its power and pathos. Yet they are not at all indisposed to acquire English as fast as they reasonably and naturally can. They are quite alive to the advantages which attend the knowledge of it, and they have no prejudices which oppose the acquisition. People so situated have a right to have the word of God and the message of salvation brought to them in their own tongue. And it is perfectly certain that the more their minds are stirred, and their intelligence awakened through their own language, the more will their desire be whetted to pass the limits which the Gaelic language imposes, and to open their way to the larger resources which are attainable only through the English. All this is familiar to our experience as a Church. In large districts where the ministerial work is carried on in both languages, the relative size of the congregations at English service as compared with Gaelic has been steadily increasing for years—not as the result of attempts to suppress Gaelic, but through the natural operation of causes which awaken the intelligence and stir the aspirations of the people.

We now pass on to the educational work of the Church.

There are four separate educational agencies through which the Free Church has steadily laboured for the enlightenment of the population of the Highlands and Islands. These are—1st, Her general Education Scheme; 2nd, The Gaelic School Society; 3rd, The Ladies' Association for the Religious Improvement of the Remote Highlands and Islands; and 4th, The Scheme of Grammar School Bursaries for Gaelic-speaking Young Men.

I.—THE EDUCATION SCHEME OF THE CHURCH.

Very soon after the Disruption the Free Church was under the necessity of originating an education scheme and setting up schools over the country in connection with her congregations. That necessity arose chiefly from the fact that so many parochial teachers, and teachers of different Societies in Scotland, who adhered to the principles of the Free Church, were expelled from their situations and had to be provided for. At the Glasgow Assembly of 1843, a few months after the Disruption, it was reported that 80 Parochial Teachers, 57 Assembly School Teachers, 27 Teachers of the Society for Propagating Christian Knowledge, and 196 Teachers of privately endowed and adventure schools had joined the Free Church—in all 360 teachers. Among others, the staff of the two Normal Schools in Edinburgh and Glasgow were ejected—the rectors, teachers, students, and pupils going over *en masse*. To carry out the scheme on which the Church had resolved, a fund of £50,000 was raised for the erection of schools and schoolmasters' houses; and with such zeal was the work carried on, that in a short time hundreds of schools were erected in different parts of the country, and more especially in the Highlands and Islands, where a large proportion of the teachers were forced to resign their situations for con-

science' sake. Besides the common schools opened all over the country, two Normal Schools for the training of teachers were erected in Edinburgh and Glasgow, at an additional cost of many thousands of pounds. These Training Colleges are now equal in arrangement and equipment to any in the kingdom, and have proved for many years past to be among the most successful institutions for furnishing annually a class of highly educated and well-trained teachers for the schools of the country.

LXXXVII.
Rev. R. Rainy,
D.D., and Rev.
J. C. Macphail.

In the year 1869, three years before the passing of the Education Act for Scotland, there were connected with the Free Church Education Scheme 2 Normal Schools, 598 Congregational and Higher Schools, 633 Teachers, and 64,115 Scholars. The expenditure for that year by the Education Committee was considerably above £10,000. Since the commencement of the scheme in 1843, about £300,000 have been spent in grants from the central fund of the Church, including about £38,000 as grants for school buildings.

The school buildings belonging to the Free Church were erected at a cost altogether of £220,000. Of this sum the Privy Council contributed £35,000. The remainder was raised by congregational subscriptions and grants from the Building Fund. The annual payments made to teachers from the Education Fund of the Church amounted to £10,000. Besides this an additional sum of £6000 a year was spent by congregations in supplementing teachers' salaries and in charges connected with the maintenance of the schools. From the date of the Disruption in 1843 to the passing of the Education Act, no less a sum than £600,000 was spent by the Free Church in connection with this scheme for promoting the education of Scotland.

With regard more particularly to the Highlands, in the year 1865, the Royal Commissioners appointed to inquire into the state of education in Scotland found that in the four following northern counties, the number of children on the rolls of schools in connection with the Established and Free Churches was as follows:—

	<i>Estab. Church.</i>	<i>Free Church.</i>
Caithness,	901	4,020
Sutherland,	341	3,177
Ross and Cromarty, . .	938	10,414
Inverness,	2,243	5,000
	4,433	22,611

Besides these there were on the rolls of other schools, 3,573 children.

Having respect only to those districts in which Gaelic is the prevailing language, the Free Church at the time specified had in the Synods of Argyll, Moray, Ross, Sutherland, and Caithness and Glenelg 214 schools attended by about 16,000 children and taught by about 230 teachers at an expenditure of £4,200 a year. This sum was exclusive of fees and of what may have been contributed by congregations in the way of supplementing the salaries of teachers.

While the Highlands and Islands thus enjoyed their full share of the benefits conferred by the general Education Scheme of the Church, her deep interest in the population of those districts led her to encourage other schemes which were devised exclusively for their behoof.

II.—THE GAELIC SCHOOL SOCIETY.

This excellent Society, which is under the patronage of the Queen, was formed in 1811. It has all along been supported entirely by private bene-

LXXXVII.

Rev. R. Rainy,
D.D., and Rev.
J. C. Macphail.

volence, and its main object is by means of circulating schools to teach the Gaelic speaking children in the Highlands and Islands to read the word of God in their own tongue. The labours of the Society have been attended with much success, and have been productive of incalculable good to our Gaelic-speaking population. In appointing teachers the Society has always been careful to employ only men of decided religious character, whose services, besides teaching the children, are of much value to the adult population in outlying and secluded districts far from gospel ordinances.

The Society in its constitution is quite undenominational; but at the period of the Disruption the great bulk of the [people in the Highlands, and, with one or two exceptions, the whole of the Society's teachers adhered to the Free Church; and in this way the burden of supporting the Society and administering its affairs has since fallen mainly upon the membership of that Church. The Established Church opened Gaelic Schools of their own for a time. When the Education Act was passed in 1872, the directors saw with much regret that it made no provision for teaching Gaelic-speaking children to read their mother tongue. They held that such provision ought to have been made under a National System of Education. They therefore made every exertion, by memorials, deputations to Government, and otherwise, to get the Society's work accomplished through the Board Schools. They have had no desire to prolong the Society's existence if its work could be otherwise accomplished. But the only result of their representations hitherto has been the insertion of a footnote in the Education Code for 1878 intimating that "Gaelic may be taught during the ordinary school hours, either by the certificated teacher or by any person specially employed for the purpose." No special grant is made for this subject, and in the absence of such a payment the mere permission to teach the reading of Gaelic is not likely to become operative to any appreciable extent.

In the course of the representations above referred to, a Parliamentary return was, on the motion of Mr. Fraser Mackintosh, obtained by the Education Department in 1877, from which it appeared that sixty-five School Boards in the Gaelic-speaking districts of the Highlands and Islands were in favour of instruction in Gaelic as fitted to promote the general education of the children, and that 208 schools with an attendance of about 18,500 scholars would take advantage of any special provisions for teaching Gaelic. It further appears from the Gaelic census recently obtained by Government, that there are still 230,000 of our population who habitually use the Gaelic language, about 185,000 of whom are resident in the Highlands and Islands. No effective provision is made in the National Schools for teaching the children of that population to read their own tongue; and thousands of boys, and especially of girls, who have a very imperfect knowledge of English, are now passing through their school age without ability to read the word of God in the language of their homes—the language in which they speak and think. It is a cruel wrong and injustice that is done to those children. Whoever may be responsible for this, it is surely the duty of the Church so long as her people do not understand English, and she is obliged to preach to them in Gaelic, to do what she can to teach them to read the Bible in the language they best understand.

Objections have been made to teaching Gaelic-speaking children to read their mother tongue on the ground that this interferes with their learning the English language. Sheriff Nicolson, one of the present Commissioners, had occasion to deal with that objection in his valuable Report on the State of Education in the Hebrides in 1866. Referring to this Society, the Sheriff says (p. 84):—"Apart from the religious influence of its teachers,

who have generally been men of approved piety, the good conferred on the population of those remote regions, in enabling a large proportion of them to read the Scriptures in the only language generally intelligible to them, has been beyond all calculation. It was objected to the Society at the time of its institution, and is still, by people not well informed on the subject, that it would tend to retard the spread of the English language, and so obstruct the progress of the Highlands. So far otherwise has the case been that the Gaelic schools have very materially contributed to awaken the desire for education among the people. Those who have tasted the pleasures and advantages of being able to read in the only tongue they knew, have come to desire still further knowledge for themselves and their children, so that in practice the Gaelic schools instead of interfering with the operations of English ones, have generally been their pioneers and feeders." Even on purely educational grounds and apart altogether from higher considerations, the Free Church could not desire a fuller justification than this testimony affords of what she has done in giving her support to the Gaelic School Society in their endeavours to teach the Gaelic-speaking population to read the Holy Scriptures in their mother tongue.

LXXXVII.
 Rev. R. Rainy,
 D.D., and Rev.
 J. C. Macphail.

III.—LADIES' ASSOCIATIONS FOR THE RELIGIOUS AND SOCIAL IMPROVEMENT OF THE REMOTE HIGHLANDS AND ISLANDS.

In 1850, Ladies' Associations were formed in Edinburgh and Glasgow to supply religious and secular instruction to the more destitute parts of the Highlands.

The famine that followed the first failure of the potatoes had drawn attention to the ignorance that prevailed in those districts; and one object aimed at was to put the Highlanders into communication with the rest of the British Empire by teaching them English, and so to facilitate their getting remunerative employment in the Lowlands and in the colonies. Gaelic is also taught in the Ladies' schools, and translation is practised regularly. All the usual elementary subjects are taught, and there are always boys here and there learning Latin, Greek, and Mathematics with a view to college. Wherever it is practical, instruction in sewing is given to the girls; and sewing schools are maintained in some places where there is no male teacher.

As a rule the intellectual instruction is given by students who pursue their own education at college during part of the year when the school is taught by a substitute. With some drawbacks, this system has proved to be well adapted to the peculiar conditions under which the work had to be carried on. The scheme is at once economical and elastic. It lays hold of whatever material can be found in the districts for whose benefit it was devised, and turns it to the best account. It forms a link between the remotest corners of the Hebrides and the universities, while it promotes an interchange of kindly feeling and good will between the dwellers in our large towns, and a people formerly isolated and almost unknown to them.

The teachers are all in the prime of life; their sessions at college counteract the narrowing influences of their remote and solitary stations; and the hope of preferment to a better position reconciles them to many hardships in the meantime.

The two Associations (now united) have occupied, for longer or shorter periods, 130 stations, besides giving grants in aid to a few others, and without counting the places where sewing schools have been maintained.

The largest number for any one year was in 1871, when the two Associa-

LXXXVII.

Rev. R. Rainy,
D.D., and Rev.
J. C. Macphail.

tions had between them 69 schools under male teachers, attended by more than 3000 children, besides aided schools and sewing schools.

Since 1872 the more populous districts have gradually been provided with Board Schools, and the Ladies have withdrawn to the more outlying localities, where they still have 33 schools for general instruction—to 19 of which sewing departments are attached—and 16 independent sewing schools.

With school rates varying from 1s. 6d. to 6s. 8d. in the pound, it is impossible for the School Boards to overtake the education of the numerous isolated groups of children in the Western Isles. The most difficult part of the work will probably always be left to the Ladies.

Their past labours on behalf of teachers and taught alike, have conferred incalculable benefits on regions previously almost destitute of the means of education; and instances are constantly coming to their knowledge in which men and women, who have risen to good positions in society and proved blessings to their generation, trace back their whole success in life to their early training in the Ladies' schools.

IV.—GRAMMAR SCHOOL BURSARIES.

While the Free Church has been working steadily for the enlightenment and social elevation of the people of the Highlands by her efforts on behalf of primary education, she has also done much for the cause of secondary education among them. In 1869 a scheme of Grammar School bursaries, which was intended to supply to some extent the want of secondary schools among the Gaelic-speaking population, was brought under the notice of the General Assembly, and was at once very warmly welcomed by the Assembly and commended to the liberal friends of the Church. The object of that scheme was to bring promising Highland boys for one or two years to a Grammar School in a university town, that they might there acquire the intermediate education which would prepare them for college, and enable them to gain some of the bursaries that are open to competition among students entering the universities.

The bursaries are strictly competitive. The examinations for them are all in writing, and are held in places chosen to suit the convenience of those who desire to compete. At last competition examinations were held on the 1st of August in Benbecula, Elgin, Fort William, Golspie, Invergordon, Islay, Lochinver, Portree, Rothesay, Stornoway, Strome Ferry, Tiree, and Tongue. Any boy may compete for them on simply presenting a certificate from his minister that he is of good principles and accustomed to speak Gaelic. The subjects of examination are seven, viz.: Gaelic, Bible, English, arithmetic and Euclid (Book i.), Latin grammar, Latin translation and composition, and Greek grammar. A printed copy of the questions set for last examination is transmitted herewith, and also a table showing the number of marks gained by each competitor.¹ The largest possible number of marks is 700, and no bursary is given if the total number of marks gained be under 450. Every bursar is required to go on to the University from the Grammar School; but no obligation is laid on them to study for the ministry of the Free Church or any other profession.

The bearing of this scheme on that class of the population into whose condition the Commissioners have been appointed to inquire, will be seen from the following analysis of the parentage of the lads who took part in the last competition. There were altogether 35 competitors, and of these the fathers of 2 were dead; 3 were the sons of small farmers; 3 of mini-

¹ See pp. 13-17.

sters; 2 of teachers; 2 of police constables; 2 of fishermen; 1 of a shepherd; 1 of a forester; 1 of a gamekeeper; 1 of a joiner; 1 of a ploughman; 1 of a shopman; 1 of a slate quarrier; and 13, or more than a third of the whole, were the sons of crofters. Eleven bursaries were awarded, and four of the eleven were gained by crofters' sons. The average age of the 35 competitors was above eighteen years. LXXXVII.
Rev. R. Rainy,
D.D., and Rev.
J. C. Macphail.

In consequence of the admirable system of bursaries connected with the University of Aberdeen, most of the lads go to the Grammar School there; and their success at the university competitions has far surpassed the anticipations which were cherished when the scheme was started. The committee by whom it is managed seldom publish a report, and have not published any since 1878; but in their report for that year the following passage occurs: "In the annual competition held among those entering the University of Aberdeen in 1876, 231 young men presented themselves, and ten of these were brought forward under this scheme. Eight of the ten gained bursaries, and two of the eight were at the head of the whole list of successful competitors, one of them being first in mathematics and the other first in classics. The value of their eight bursaries was as follows:—Two were worth £35 a year each, two £20, two £15, and two £14, 10s. One of the young men that year gained, in addition to his university bursary, the London Gaelic Society's bursary of £25." As each of these bursaries was tenable for four years, the sum gained in that year alone amounted to no less than £776. And it may be stated that the success of the lads since then, both in Aberdeen and in the other universities, has continued to be gratifying in the extreme.

Many of the most distinguished educationists in Scotland have borne testimony to the value of the scheme. For example, Principal Sir Alex. Grant writes: "I have read with the greatest interest your Report on Grammar School Bursaries for Gaelic-speaking Young Men. You have been actually carrying out since 1869, I find, exactly the measures I have been all that time recommending in my university addresses. The success of your scheme is very gratifying, and I earnestly hope it may continue to be carried on by you, and that it may be imitated in many quarters."

The following is from a joint testimony by the professors of Greek and Latin in the University of Aberdeen:—

"Previously to the institution of this admirable scheme, very few of the Gaelic-speaking students were able to claim a share in the bursaries at the annual competition. While the requirements for the bursary competition have been, under recent changes, steadily rising, the appliances from the higher education throughout the Highlands have been steadily sinking. We have no hesitation in stating it as our deliberate opinion that the scheme has done much to solve the problem now exercising so many patriotic minds, how best to cement together the primary and the secondary education of the country. The agency which it has been the means of instituting is one that might be applied to other parts of the country besides the Highlands, on the largest scale, and with the most beneficial results; and the light which this valuable experiment is calculated to give is one that all interested in the higher education will gladly hail.

"The only other remark which we feel at liberty to make is that the young men who have thus been brought forward to the university have been uniformly of the highest character, and form an excellent element among the academic youth."

But by far the most gratifying testimony to the value of this scheme is the fact that in consequence of its success, several somewhat similar schemes have been instituted by others, and now, and as the result of what

LXXXVII. was first done by the Free Church, there is not a Gaelic-speaking boy of exceptional ability in the remotest hamlet of the Highlands and Islands who may not, without much difficulty, prepare himself for one or other of our universities, and take his place on entering college side by side with lads educated in the best schools in our large towns.

Rev. K. Rainy,
D.D., and Rev.
J. C. Macphail.

These are the educational agencies—in addition to the ordinary preaching of the gospel—through which the Free Church, ever since her separation from the State, has steadily laboured for the enlightenment and the social and religious improvement of the inhabitants of the Highlands and Islands.

To those of them who understood English, a religious English education was provided by her education scheme and in the schools supported by the Ladies' Associations. In the Gaelic schools, and also in those of the Ladies' Associations, she has sought to teach those who knew no language but Gaelic, to read the Holy Scriptures in their mother tongue. And by means of Grammar School Bursaries she has opened a way to the universities for every Gaelic-speaking youth of exceptional ability.

The writers cannot but add that the benefits derived from this work have been very largely due to the self-denying efforts of Highland ministers, animated by the desire to promote the enlightenment of the people. Many of them have drawn on their modest incomes to promote the establishment of schools and to maintain them; and many more, in striving to promote educational efficiency, have expended time and pains in the most ungrudging manner.

CONDITION OF THE PEOPLE.

It now remains that something should be said, as proposed at the outset, as to the condition of the people. What shall be said will apply only to the crofter and cottar population. The writers of this statement have no commission to represent the mind of their Church on a subject so difficult as the land question. But they think they are qualified and perhaps entitled to state a few points, in regard to which it is within their knowledge that a very general agreement prevails among those of their brethren who live in the Highlands or who are acquainted with them.

They would state their conviction, first of all,—and this they can do with great confidence,—that the influence of the ministers, and, they may add, of the office-bearers and leading laymen of the Free Church, has not been used to embitter questions of this kind. On the contrary, the tendency undoubtedly has been to maintain peace and quietness, and to deprecate all violent and passionate measures. It has been maintained in some quarters that the disposition to urge peace and submission at all hazards has been carried too far. Whether that be so or not, it is beyond question that a powerful influence in that direction has been exerted. Through the religious leaders of the people a public opinion which rejects, as disapproved by Christ, everything like the "wild justice of revenge" has been remarkably maintained. It is still well remembered in Sutherlandshire, how, at the time of the changes there, wild talk and wild plans among the younger men were repressed by the resolute determination of the leading religious people to have nothing to do with any plans that proposed to avert suffering by sinning. Considering the lawless state of the Highlands four or five generations ago, the quiet which has generally obtained could hardly have existed unless the minds of the people had been controlled by principles of duty and religion. Now that these questions have become matter of public discussion, it is not for those who make this statement to say in what degree their brethren may take part in that discussion. But they are confident that

whatever view they may take of the measures to be adopted, their aim will be to discourage the use of violent or unlawful means.

The points on which a good measure of agreement will be found to exist are the following :—

1. That the size of the crofts, speaking generally, is too small. It is not needful to dwell at all on a point which has been so frequently before the Commissioners.

2. That the existing tenure is an unsatisfactory one.

In reference to this, an important distinction must be kept in view. Where a population is mixed and various, where many kinds of employment are open, and many ways of holding houses and land are exemplified, there is a corresponding variety of resource. But on great properties, where there is but one way of living, but one form of tenure for poor people, and where openings to other pursuits are obstructed by barriers of distance and language, the case is quite different.

The evils connected with the prevailing tenure are least felt where a good landlord personally resides among his people, and is practically accessible to all of them. There is in that case little risk of hardship. And perhaps it may be said that there is still so much of the patriarchal feeling in the Highlands, that a verbal discussion, and consequent understanding, with the laird, is by many of the people felt to be a very natural way of settling rights and claims. Even in that case it remains true that a stimulus to industry, in the form of proper security for the fruits of it, is wanting.

But that case is not the commonest. And speaking generally, the existing tenure is objectionable, first, because it gives no security for improvements ; secondly, because it leaves the people in a condition, as to home and work, that is precarious ; third, because it leaves them defenceless against oppression.

It is not intended to dwell on the three objections now specified. But it seems not without use to say a word or two on the third.

Much has been said of the proceedings of factors and others who take part in the administration of estates, or are responsible for such administration. It should always be remembered that these persons are in trust to guard the interests and the legal rights of proprietors, and are dealing on their behalf with tenants whose legal rights are of the slenderest description. This creates for the estate functionaries a position which must sometimes be difficult, and may subject them to blame which should much rather be imputed to the system under which they work. A proprietor, if he is not in debt, can be generous and considerate. A factor may often feel that he has no right to be generous unless expressly authorized, and that he can even be considerate only within narrow limits.

But what we would especially press is this, that the mass of the tenantry so situated find themselves, as each year passes on, coming within a few months or weeks of a day on which a single individual can successfully deprive any of them of their livelihood, and can ruin them if he chooses. To be in this position is really to be under a despotism. In many cases it may be a paternal and kindly despotism. But whatever the character of it may be, it is not a good or safe system either for those who administer it or those who are subject to it. In our opinion nothing is more needful than that the people in the Highlands should find in their circumstances the basis for a moderate and reasonable independence, and should be called upon to assert it, accepting at the same time its accompanying responsibilities.

The Commissioners have their own means of forming an opinion as to the

LXXXVII.

Rev. R. Rainy,
D.D., and Rev.
J. C. Macphail.

LXXXVII.
 Rev. R. Rainy,
 D. D., and Rev.
 J. C. Macphail.

measure in which cases of abuse of power have been substantiated by evidence. The authors of the present statement make no allegations on that subject. But they would press on the attention of the Commissioners what they feel certain of as matter of fact. The belief exists universally throughout the Highlands that acts of great oppression have frequently been committed with impunity, and without redress. The mere belief that it has been so would do little harm among a people conscious of being able to protect themselves. But among a people who are conscious, and rightly conscious, that they are defenceless, the same belief has a very malign operation. On the one hand, it tends to create a slavish spirit of submission; on the other hand, it irritates the people into a spirit of suspicion and defiance, and suggests a resort to illegal methods to protect them from dangers which the law is known to be powerless to avert.

3. Emigration. No one is authorized to say what precise doctrine on the subject of emigration represents most nearly the views of Free Churchmen in the Highlands. It may be stated, however, in the first place, that the kind of emigration which would be most generally deprecated and opposed, would be that which sweeps the people off in masses, in order to clear the land for some other kind of occupancy. And, in the second place, it is the opinion of not a few thoughtful men that ere long, owing to the operation of education and other causes, emigration will begin to take place spontaneously from the districts which now seem to be crowded, to a much greater extent than at present. It would seem that at present, from whatever causes, the disposition to emigrate is less active than it was some time ago.

One more remark must be made in conclusion, although it is believed to be superfluous as addressed to those who have examined the case with the care and the ability expended by the Commissioners. Those who look rapidly over the situation, and see a poor people, under an inclement climate and scattered over a rugged country, are apt to form hasty impressions. They conclude that any effort directed to enable such a people to continue where they are, is not worth making; that to remove them, or allow adversity to drive them away, is the best course to take. Now it is true that many of these people are far behind in the comforts of life, and in the advantages which make it seemly and beautiful. But their circumstances admit, and their character exhibits, great elements of moral health and moral strength. They are free from many of the worst evils of our great towns and populous villages. With scanty advantages, they still form a race of men who are full of the sense of duty, and of the ties that bind them to family and to country; and the contribution they make to the general population of the home country and the colonies is sound and good. Contented as they are with a modest scale of comforts and even of necessaries, not very much is needed in order to make them in all respects a credit to their native land. It must be admitted that they are, for the most part, imperfectly educated and sometimes scantily fed. And yet one who has seen their ragged Hebridean children fishing from a rock on some lonely island, with the invincible gladness of childhood, amid splendid air and glorious scenery, and who remembers that the poor ill-furnished houses from which they come, are at least the scene of honest and loving family life, free from debasement and disgrace,—such a one will feel that the life of our great towns in the south supplies every day far sadder objects of contemplation.

In offering these statements, no fear is felt that those who make them will be held to go beyond their province as ministers of religion, and, so far, representatives of the Church of Christ. We believe that everywhere, and, certainly, not least in Scotland and in the Highlands, the Church must

co-operate on such questions with other agencies, and other agencies with the Church. Many evils have come from the separation and alienation of classes in Scotland,—evils for which it will be found that “force is no remedy.” If evils are to be averted and human passions are to be restrained, classes that have been too much alienated must work together.

LXXXVII.
Rev. R. Rainy,
D.D., and Rev.
J. C. Macphail.

ROBERT RAINY.
J. CALDER MACPHAIL.

EDINBURGH, *December* 1883.

N.B.—No help of any kind allowed.

GRAMMAR SCHOOL BURSARIES—1883.

I.—GAELIC.—Value 100.

Half-an-hour allowed for this Paper.

1. Translate into English :—

Cosan a naomh gleidhidh e, agus bithidh na h-aingidh tosdach ann an dorchadas. Iadsan a ni tàir ormsa, is beag am meas a bhitheas dhiubh. Abair ris an òganach dol air aghaidh romhainn, ach seas thusa tamull, agus cuiridh mi 'n cèill duit focal Dé. Cuiridh iad faithe ort, agus bheir iad dhuit dà bhuilinn arain, agus gabhaidh tu as an làimh iad. Am màir-each, nuair a dh'fhàsas a' ghrian teth, bitidh cabhair agaibh.

2. Translate into Gaelic :—

I will teach you the good and the right way. He climbed up upon his hands and upon his feet, and his armour-bearer after him. None of the people tasted any food, and they were faint. There shall not one hair of his head fall to the ground. The Lord seeth not as man seeth : for man looketh on the outward appearance, but the Lord looketh upon the heart. What meaneth the bleating of the sheep in my ears, and the lowing of the oxen which I hear ?

II.—BIBLE AND SHORTER CATECHISM.—Value 100.

One Hour allowed for this Paper.

1. Give a short account of Adonijah's conspiracy.

2. Where were the following placed in the temple :—The ark, the golden candlestick, the altar of incense, and the altar of burnt-offering ?

3. How was Solomon assisted in building the temple ? Why was David not permitted to build it ?

4. Where were the following places, and for what were they noted :—Eziongeber, Palmyra, Succoth, Upper Bethhoron, Joppa, and Thapsacus ?

5. What was Solomon's great sin, and how was he punished for it ?

6. What proofs did Solomon give of his great wisdom ?

7. Write out the answers in the Catechism which speak (1) of the Covenant of Life, (2) the Covenant of Grace, and (3) the change of the *day of Rest*.

8. Explain the following expressions :—Actual transgressions, want of conformity, no mere man, and sensible signs.

III.—ENGLISH.—Value 100.

One Hour allowed for this Paper.

I. GRAMMAR.

1. Write the plurals of—ship, gas, elf, cliff, brother, salmon, father-in-law, knight-templar ; the possessive singular and possessive plural of—man, book, goose ; the comparative degree of—good, fore, merry ; and the possessive plurals of—I, He, and It.

2. Write down the present indicative, past tense, and past participle of—blow, choose, burst, say ; write out fully the future indicative active and the future perfect indicative passive of any one of these verbs.

3. In the following passage parse the words in italics. How many statements are in it, and which, if any, are dependent ?

“ From *yonder* ivy-mantled tower
The *moping* owl does to the moon complain
Of *such as*, *wandering* near her secret bower,
Molest *her* ancient solitary reign.”

Derive *complain*, *ancient*, and *solitary*.

II. GEOGRAPHY.

1. Where are the following countries :—Spain, Persia, Italy, China, Egypt, Mexico, and Chili ? Name the capitals of all, and the chief rivers of any three of them.

2. Where are the following towns, and for what are they noted :—Quebec, Calcutta, Cork, Melbourne, Dunedin, Sheffield, and Bristol ?

III. HISTORY.

1. What happened at the following dates :—1174, 1263, 1297, 1314, 1513, and 1603 ?

2. What Scottish sovereigns were imprisoned in England for a lengthened period ? What led to their imprisonment, and by whom was Scotland ruled in their absence ?

IV.—ARITHMETIC AND EUCLID.—Value 100.

One Hour allowed for this Paper.

1. Write down in words at full length 9090909 and 90909. Also multiply these numbers together.

2. What is a composite number ? Find the greatest common measure of 849 and 1132. Find also their least common multiple.

3. Reduce to its simplest form $\frac{1}{2} - \frac{1}{2} + \frac{1}{3} - \frac{1}{6}$.

4. Take .01 from .1 ; multiply .001 by 100, and divide 12.6 by .0012.

5. A silver tankard which weighed 1 lb. 10 oz. 10 dwts. cost £6, 3s. 9d. ; what is the value of silver per ounce ?

6. Find by Practice the cost of $165\frac{1}{2}$ cwts. at £2, 5s. 6d. per cwt.

EUCLID.

1. Tell what the following terms mean in Geometry:—A point, a line, a plane superficies, an acute angle, a right angle, and an obtuse angle. How many acute angles *must* a triangle have? How many *may* it have?

2. If, at a point in a straight line, two other straight lines, upon the opposite sides of it, make the adjacent angles together equal to two right angles, these two straight lines must be in one and the same straight line.

3. The straight lines which join the extremities of two equal and parallel straight lines, towards the same parts, are also themselves equal and parallel.

V.—LATIN GRAMMAR.—Value 100.

One Hour allowed for this Paper.

1. Decline (1) *iste civis Romanus*; (2) *nulla domus nobilis*; (3) *mea tota salus*; (4) *idem* in all genders.

2. Compare *pulcher*, *praeclarus*, *similis*, *levis*. Form an adverb from each, and compare the adverbs.

3. What is the Latin for 18, 24, 79, 110; also for 12th, 19th, 60th, 90th?

4. Parse and translate (1) *existimatis*; (2) *existimatum*; (3) *habueritis*; (4) *haberemini*; (5) *scitote*; (6) *scias*; (7) *remittere*; (8) *remittendum*. The verbs are (1) *existimo*, I think; (2) *habeo*, I have; (3) *scio*, I know; (4) *remitto*, I send back. Where the form is the same for more than one part of the verb, all must be named.

5. Parse and translate (1) *eundi*; (2) *nolitis*; (3) *profuerint*; (4) *ferres*; (5) *feres*; (6) *feruntor*; (7) *fies*; (8) *memineris*.

6. Conjugate *credo*, *video*, *venio* (marking the quantities), *comprehendo*, *utor*, *rumpo*, *interficio* (what is the future infinitive passive?), *ædo*.

7. Translate into Latin:—(1) Cicero himself, when he was (subj.) in (say of) very feeble (*tenuis*) health (*valetudo*), did not leave even the night (*nocturnus*) time for himself for rest (*quies*). (2) Hannibal had 8000 men, not whom he had taken (subj.) in battle, but who had been left in the camp by the consuls. (3) These the senate did not think (*ceasesco*) that they ought to redeem (*redimo*), although (*quum*) it could be done with a small [sum of] money, in order that it might be taught (*insero*) to our soldiers either to conquer or to die.

VI.—TRANSLATION.—Value 100.

One Hour allowed for this Paper.

1. Translate into English:—

(a) *Homo quidam reversus in patriam, unde aliquot absterat annos, semper iactabat praeclara sua facta. Inter alia narrabat, in Rhodo insula se saltando vicisse optimos saltatores. Ostendebat enim spatii longitudinem, quam praeter se nemo potuisset saltu superare. Tum unus ex amicis inquit, Hic Rhodum esse puta, hic salta.*

- (b) *Parcite, mortales, dapibus temerare nefandis
Corpora : sunt fruges, sunt deducunt ramos
Pondere poma suo, tumidaeque in vitibus uvae :
Sunt herbae dulces, sunt quae mitescere flamma
Mollisque queant : nec vobis lacteus humor
Eripitur, nec mella thymi redolentia florem.*

2. Translate into Latin:—

King Pyrrhus on a march fell in with a dog, which was watching the body of a murdered man. When he had heard that the dog was sitting [by him] now for the third day, he ordered the dead man to be buried, but the dog to be taken away and diligently cared for. A few days afterwards the king is reviewing his army. The soldiers pass by one by one. The dog is present. Silent and peaceful before, when he saw the murderer of his master pass by, he ran forward and barked with such fury that it moved the king's suspicions. The man was apprehended, and, having confessed his crime, suffered merited punishment.

[Pyrrhus rex in iter incido in canis, que intirificio homo corpus custodio. Cum audio canis jam tertius dies assideo neque a cadaver decedo, jubeo mortuus humo, canis vero deduco et diligens curo. Pauci post dies rex exercitus lustrō. Transeo singuli miles. Adsum canis. Tacitus et quietus antea, ubi dominus suus percussor transire video, procuro, et tantus furor latro, ut rex suspicio moveo. Homo comprehendo confiteor scelus poenae mereo do.]

VII.—GREEK GRAMMAR.—Value 100.

One Hour allowed for this Paper.

1. Decline (1) ὁ παρεληλυθὸς (perf. part.) χρόνος, (2) αὗτος (in all genders and numbers), (3) ἐγώ, (4) πᾶν τὸ τεῦχος, (5) μέλας, (6) κρείσσαν.

2. Compare—(1) ταχύς, (2) νέος, (3) δειλός, (4) ἀσθενής.

3. Parse and translate—(1) ἐποίησαντο, (2) δίδόντων, (3) ἐποιῶντο, (4) ἔδοσαν, (5) ταχθείς, (6) τίτακται, (7) ἔλεγον, (8) λεχθήσεται. (The verbs are ποιῶ, I make; δίδωμι, I give; τάττω, I arrange; λέγω, I say.)

4. Translate into English—(1) πέμψω παῖδας ἔχοντας δῶρα ἐν χερσίν. (2) μηδείς νομίζεται με ἀσθενῆ καὶ φαύλην (νομίζω, I think). (3) ἐπεὶ οἱ πρῶτοι ἐγένοντο ἐπὶ τοῦ ὄρους καὶ εἶδον τὴν θάλατταν, κραυγὴ πολλὴ ἐγένετο. (4) μετὰ ταῦτα τὸν ἡγεμόνα οἱ Ἕλληνες ἀπόπεμποναι δῶρα δόντες ἵππων καὶ Φιάλην ἀργυρᾶν καὶ ἔλαβε πολλοὺς δακτυλίους (a ring) παρὰ τῶν στρατιωτῶν. (5) ἔχομεν ἐν τῇ στρατοπέδῳ πολέμιους πολλαπλασίους (many times as many as) ἡμῶν αὐτῶν, καὶ τούτους λελυμένους.

5. Translate into Greek:—Now it is necessary (δεῖ) that we be brave men. Now the conflict (ἀγών) is about (ὑπὲρ with gen.) your lives (ψυχῆ), and the land in which ye are, and the houses in which ye dwell (οἰκίῳ), and your wives and children, and all the good things which ye have. Having conquered (νικῶν), you will be possessors (κύριος) of all these things as before (πρόσθεν); but if ye shall be conquered, ye shall hand over (παρεδίδωμι) all these things to your enemies.

TABLE SHOWING NUMBER OF MARKS GAINED AT COMPETITION IN 1883.

The full value of each Paper is 100.

Place.	Competitor.	Gaelic.	Bible.	English.	Arithmetic.	Latin Gram.	Translation.	Greek Gram.	Total.
Benbecula,	†A.	96½	73	69	89	60	62	40	489½
Elgin,	A.	...	64	66	61	52½	57	17	317½
"	B.	61½	60	83	85	72	82	62	506
Fort-William, . . .	A.	94	72	75	67	80	66½	85½	540½
"	B.	73½	63	46	33	13½	10	5	244
"	†C.	92½	71	62	64	53½	39½	40½	423
Golspie,	A.	38½	60	53	53	14	10	3½	232
"	†B.	73½	51	79	57	68½	54½	33	416½
"	C.	11½	43	85	55	57	44½	10½	306½
Invergordon, . . .	A.	81	53	67	62	59	55½	25	402½
"	B.	...	69	71	65	70	53	25½	353½
Islay,	A.	75	66	76	70	59	52	44½	442½
Lochinver,	†A.	82½	60	80	86	68½	60	34	471
Portree,	†A.	93	62	51	31	38½	48	19	342½
"	†B.*	97	70	90	94	87	86½	75	599½
"	D.*	80	62	80	59	58½	53½	37	435
"	F.	94	68	78	67	56½	62	...	425½
Rothsay,	A.	65	53	81	60	71½	78½	74½	483½
"	B.	39½	75	90	83	90	82½	84	544
"	C.	82	50	46	45	68½	38	63½	393
"	†D.	89½	63	66	29	3½	...	...	271
Stornoway,	†A.	96½	52	67	54	40½	26½	6½	343
"	†B.	92½	64	71	62	32	35	35½	392
"	†C.	94½	50	72	41	29½	35	21½	343½
"	†D.	88	57	64	91	26½	10	...	336½
"	†E.	96½	55	77	76	40	57	30	431½
"	†F.	97	72	87	82	52	54	39	481
Strome Ferry, . . .	A.	96	81	75	87	67½	60½	48	515
"	B.	92	62	84	95	83½	70	72	568½
Tirree,	A.	86½	44	75	68	32	55½	28	389
"	B.	86½	53	72	89	29	62	33½	435
"	C.	66½	57	71	91	40½	58	37½	421½
"	D.	73½	53	60	93	42	50	36½	408
Tongue,	A.	95½	66	86	93	52	61	20	473½
"	B.	91	55	58	45	57	55	50½	411½

* From Gairloch, Presbytery of Lochcarron, but allowed to compete at Portree.

† A crofter's son.

LXXXVIII.

STATEMENT by W. ANDERSON SMITH, Esq., on Fisheries.

LXXXVIII.

LEDAIG, ARGYLL, 7th June 1883.

W. A. Smith,
Ledaig.

I beg to call the attention of the Crofters' Commission to an important element in the problem of justice to the people and the country, which has not hitherto had sufficient prominence given to it, and which I trust they will investigate.

The wealth of the Western Highlands is in the sea, not on the land.

The Sea.

The sea can only be worked from the land.

The foreshores are partly claimed by *ex adverso* proprietors, partly by Government.

The Fore-
shores.

In this connection the Government is the most extensive and powerful proprietor in the Highlands; but the value of its property is diminished, and indeed minimised, by difficulty of approach through the property of others.

The Crown.

It is still further reduced in value by its mode of administration.

Its mal-admini-
stration.
Prohibitory
cost.
Cheap Grants
required.

While it is shut out from the people by prohibitory legal enactments.

A poor man wishing to cultivate—say oysters—must apply for a grant, and lodge £60 in advance,—other costs to follow. So there is no cultivation of oysters, which are disappearing from Loch Roag and Lochs district in Lewis—as along the coasts of Skye and elsewhere.

Equally the mussel scalps are being cleared, as a poor man can obtain no security of tenure. So that the haddock fishery of the Minch cannot be supplied with bait.

Crown salmon fisheries are almost invariably advanced in rent according to the success of the tenant in developing and improving them; so there is no attempt at fish culture. The Crown is the most mercenary, and least satisfactory landlord to deal with. Others may be negligent, the Crown is oppressive.

Crown an un-
just landlord.

No pier can be erected without a costly Parliamentary bill.

Piers.

No boat harbour can be initiated without equally expensive measures.

Boat Harbours.

No bridge of consequence can be built without adding to the pressure of imperial business and to the initial cost of the scheme.

Bridges.

No tramway to facilitate transit can be projected without Parliament being applied to.

Tramways.

Any attempt indeed to stimulate marine industries in a poor country where capital is scarce, is met by a demand for a heavy useless expenditure of the capital that is the especial requirement of the locality.

Unnecessary
expenditure.

These being facts, what the people require in order to remove their disabilities is:—

1. A simple cheap means of obtaining grants for oyster grounds or mussel scalps, lobster or crab ponds, or other similar undertakings. A small annual payment to cover the cost, as in the French foreshores, confiscation after a certain time to follow non-working.

2. Compensation for improvements effected by the tenant on Crown fishings to be considered in connection with salmon fisheries; so that fish-culture may be stimulated, and no Government rack-renting allowed.

LXXXVIII.

W. A. Smith,
Ledaig.

3. Facilities to be given for the erection of piers, boat harbours, &c., without the necessity of going to Imperial Parliament.

4. The right of settlement at a reasonable cost or rental on the lands *ex adverso* those foreshores that may be granted to fishermen and others, must be imperative. Where a company of *bona fide* stability, or a body of fishermen, demand certain ground as a standpoint for a harbour, pier, curing houses, &c., or other necessary works in connection with fisheries, such ground should be obtainable for a consideration without imperial legislation in each individual case.

County Boards. It seems to us reasonable to suggest that similar important and necessary undertakings, by which alone the great wealth of the western seas may be utilised, ought to be capable of arrangement by means of *County Boards*, composed of practical men acquainted with the local requirements, who could consider each application on its merits, and adjudge compensation when necessary.

After a lengthened and close acquaintance with the subject, the crofter question in our opinion will be greatly simplified by the freeing of the marine industries of the north and west, and the transfer of half the population of certain districts from pauper crofters into substantial fishermen.

W. ANDERSON SMITH.*

* Author of *Lewisiana: Life in Outer Hebrides; Benderloch, Notes from West Highlands*, &c. Prize Essayist on Fisheries--Norwich Exhibition, Essay 2; Edinburgh Exhibition, Essay 5; Highland and Agricultural Society Exhibition, Essay 2; *International Fisheries Exhibition, London, 1883*, &c. I add the above particulars to show that I am at least acquainted with the subject on which I address the Commission.

LXXXIX.

NOTES on the Fisheries on the West Coast of Scotland, by Captain **LXXXIX.**
 THOMAS A. SWINBURNE, R.N., of Eilean Shona, Argyllshire.

Captain Swinburne, R.N.

EILEAN SHONA, October, 1853.

The fisheries of the west coast of Scotland, especially those to the west of the Long Island are practically undeveloped. From Barra Head to the Butt of Lewis there are few fishing boats, and none (excepting from Loch Roag, west of Lewis) that prosecute the long-line fishing regularly.

The fishing ground extends from the Stanton Bank in lat. $56^{\circ} 10'$ to North Rona in $59^{\circ} 10'$, includes St Kilda, the Flannan Islands, &c., and abounds in cod, ling, tusk, and halibut; turbot, haddock, conger, and skate are caught with herring and mackerel at certain seasons. The basking shark or sun fish might be fished profitably at midsummer, the liver yielding a large quantity of oil. These parts in olden times sent salt fish to Spain, which is now supplied from Shetland, Norway, and Iceland, but as the cod from those countries is much inferior to the Scotch cod, the old trade should be revived. The reasons why the fishing has not been carried on to any extent are, *first*, want of a certain market; *second*, insufficient boats and gear; *third*, want of harbours. Extensive fishing grounds.

The *first* might be remedied by establishing fishing stations where the catch could be landed and forwarded to market by swift steamers, or cured on the spot. Storehouses for *ice*, *salt*, and other supplies should be built; timber, spars, rope, &c., should be kept so that boats should not be obliged to leave the fishing ground for slight repairs. A *fixed price* should be paid at each station, so that the boats could run to nearest station according to wind. Supplies of bait should be ready at each depot. The places I should recommend for stations or depots are—(1) Barra (Castle Bay or Vatersay), (2) Monach Islands, (3) Borrera or Pabbay (Sound of Harris), (4) Scarpa, (5) Loch Roag (Lewis). Fishing stations.

Bait.—Buckies can be caught in most of the lochs and can be kept alive in netted bags towed overboard or small well smacks might be fitted to supply the stations with live bait. Spout fish, lug worms, sand eels, &c., can be got in any quantities in the sounds of Barra, Harris, &c., and mussels can be got on the mainland lochs and laid down in beds at the fishing stations. Very fine haddocks are occasionally caught, but with mussel bait large numbers would be caught and either smoked or sent to market fresh.

Ice could be collected near the head of several of the mainland lochs, from the small fresh water lochs adjacent, and from the back water of rivers, the collection and storage of which would give employment during the winter, each large boat could take out a cargo to the depots before the February fishing commences.

Secondly, Boats.—For the Atlantic fishing a large decked boat would be required not less than 46 feet in keel, 56 to 60 over all, beam from 16 to 18 feet, lug-rigged foremast to lower, foresail dipping lug when at sea, which could be converted into standing or balance lug when working into harbour. These boats could be used for long line, hand line, and drift net fishing, the lines being worked by the boats, or in fine weather each large boat might carry two or more small boats to work extra sets of long lines. These large boats should have Boats.

LXXXIX.

Captain Swinburne, R.N.

capstan or winch with stream anchor, with a length of chain and long hawser for anchoring in deep water. Open boats of 24 feet, carrying four or five hands, could be used near the stations and on the inner side of the Long Island, and four-oared whale boats would be useful for the sun fishery and might be carried or towed out by the larger boats. The decked boats would cost £300; 24-foot skiffs, £25; 25-foot whale boats, £23.

Harbours.

Thirdly, Harbours.—It would be impossible to make harbours on the Atlantic coast of the Long Island, but the stations I have named have fair natural anchorages, there are also anchorages at Taransay, Loch Hannaway, Carloway, &c., where fishing vessels might run in bad weather.

Butt of Lewis.

On the inner or east side of the Butt of Lewis there is a good deal of fishing carried on, but there is very bad harbour accommodation, in fact the boats are hauled up on slips far above high water. I am doubtful if any good harbours can be made except by quarrying into the land, which would be very costly. The boats used are good sea boats, but very roughly and slightly built, and do not last long—fir skin with birch timbers. These boats are about 20 feet keel, 30 feet over all, by 10 feet beam. Carry one high-peaked lug sail. Some improved method of hauling up these boats might be adopted, say by a double line of tramway or a continuation of the slip forming an inclined plane, with a wire rope, one end of which should be hooked to start rope under bilge of boat, the other passed round a drum at head of incline and made fast to a ballast waggon weighted more than the boat. When ready the ballast waggon should be released so as to run down the incline towards the sea, hauling the boat up on parallel lines.

There is good fishing grounds inside of the Long Island, the Shiant Bank, banks off the Sutherland and Cromarty coasts, and to the south of Skye, off Canna, and to the north and west of Coll and Tyree.

Loch Pooltiel.

The most central for a fishing station would be Loch Pooltiel (Glendale, Skye). In 1862–63 I rented the store house at Hammara for the purpose of forming a depot for my vessels fishing at Rockall. There is a fair anchorage and a splendid shingle beach for drying fish. From Pooltiel the inner fishery in Minch, &c., could be worked, or vessels could go through the sounds of Harris and Barra, or round Barra or Butt of Lewis according to wind. This would be a centre for all the outside stations.

The Rockall fisheries might be tried again, as they have now had a good rest. This, however, would require a larger class of vessel.

Fishing Depots.

The fishing stations or depots I should propose to the east of the Long Island,—

1. Eriska (Sound of Barra). Bait plentiful.
2. Loch Skiport, South Uist.
3. Scalpa.
4. Loch Pooltiel.
5. Canna.
6. Arisaig. Plenty of bait, and Steamers calling there and at Eigg.
7. Tanera More. Summer Islands.
8. Loch Laxford (Crow harbour).

Fishery Cruiser.

I would suggest that the presence of the fishery cruiser or coastguard would be very useful in regulating the fisheries. Close seasons of certain fish should be enforced.

The fisheries at Rockall, in 1861–63, were spoiled by the fishing vessels throwing their offal overboard on the fishing grounds, thereby attracting dog-

fish, sharks, &c., and preventing cod, tusk, &c., from biting. After the tide's fishing—six hours—all vessels should be compelled to stand out from the banks, and clean their fish in deep water. LXXXIX. Captain Swinburne, R.N.

Lobsters. Lobster fishing is carried on to some extent at present, but will soon become a thing of the past, as lobsters are fished all the year round, especially in the summer in the close season which is not enforced. The consequence is that lobsters are becoming scarcer, and some good spots (Isle of Muck, for instance) are exhausted. Crabs of marketable size might be caught if the trunk net was used instead of the lobster creel, the entrance to which is small for crabs.

Oysters. The salt water lochs on the west coast are admirably adapted for oyster cultivation, which should prove a source of wealth. In the Long Island there are hundreds of miles of sheltered coast line, where there is scarcely any frost in winter, and nothing to interfere with the production of spat. In many of the lochs there are plenty of oysters, but they are stolen, and proprietors who have no charter have no redress. I suggest that Government should grant a free charter to landlords who intend to cultivate oysters.

Mussels. Mussels are already plentiful in many of the lochs, and might be cultivated in others, so as to supply bait not only for the haddock fishing on the west coast, but might be shipped by tons to the east coast where they are getting scarce.

Bait. The collection of bait, cleaning and planting of oyster and mussel beds, would give employment to old men and women and children. Spout fish, cockles, &c., could be collected in quantities, and live bait stored in floating boxes at depots. The women should learn to clear, clean, and bait lines, especially the haddock lines, and knit jerseys, stockings, &c., with home-grown wool.

Timber. There is a great scarcity of good timber in the West Highlands, a great deal has been cut or blown down within the last fifteen years, and there is little coming forward in its place. Larch grows well when sheltered from the direct sea blast, and wood grown on the shores of most of the lochs on mainland, also the laricio or Corsican pine, which stands the sea blast, grows fast and makes excellent timber. Plantations would in many instances pay better than grazing.

Fish Manure. In the Long Island fish manure could be made by mixing the offal with peat, dried and ground.

Boats. The large class boats would be beyond the means of the crofter class, but if money was advanced by Government, the landlords in their respective districts might guarantee the payment by instalments, or the fisheries might be worked by a company, the crews having share of the profits.

All fishing should be worked on the share system.

THOS. A. SWINBURNE,
Capt., R.N. (Retired).

XC.

XC.

DESTITUTION IN EASTER ROSS, ROSS-SHIRE, 1783.

Destitution in
Ross-shire,
1783.

*Resolutions, of the Gentlemen Landholders, of the Eastern District of Ross-shire,
at Tain, 10th December 1783.*

In Consequence of a Circular Letter addressed by Donald Macleod of Geanies, Sheriff-depute of the County, to the Gentlemen Landholders of the Eastern District of Ross-shire, and the Factors of such as are absent, requesting their Attendance here this Day, in order to take into their Consideration, the State of the Tenantry in that part of the County, and to form some Plan whereby they might convey some effectual Relief to their distressed Situation, by adopting uniform and lenient Measures for their Relief, which might set their Minds, now in suspense, at rest, and give them a Confidence in the Support and Assistance of their Masters and Superiors, in their present reduced State, as well as a Prospect of its continuance, in case of their being hereafter visited by a like General Calamity, as has occurred for these Two last succeeding Years.

COMPEARED,

Charles Munro of Allan, Esq. ;
Alexander Baillie of Little Tarral, Esq. ;
Hugh Rose of Damn, Esq. ;
Donald Macleod of Geanies, Esq. ;
The Reverend Mr John Urquhart of Mounteagle,
Mr Colin Mackenzie, Factor on the annexed Estate of Cromarty and
Estate of Invergordon,
Mr Alexander MacCulloch, Factor on the Estate of Balnagown,
Mr Hugh Robertson, Factor on the Estate of Cadboll,
Lieut. John Ross, Factor on the Estate of Calrossie,
Mr David Ross, Factor to Lord Ankerville,
Mr John Montgomery, Factor on the Estates of Newmore and
Culrain,
Mr John Barclay, Factor on the Estate of Glastulich,

Who made choice of the said Donald Macleod to be their Præses, and of Lieut. Donald Davidson to be their Clerk.

When Mr Macleod reported to the Meeting, that in consequence of his Circular Letter, Duncan Munro of Culcairn, and Munro Ross of Pitcalnic, Esqrs. had both requested of him, that he would apologise to this Meeting for their necessary Absence ; the first being obliged to set out for London, on private Business a few Days ago, and the latter, being in bad Health and unable to attend ; but both expressed their Resolutions of settling with their respective Tenants, agreeable to whatever Plan should be adopted by this Meeting. Mr Macleod also produced a Letter from Mr Baird, Factor for Sir Hector

Munro, regretting his inability to attend on account of his bad Health, but expressive of his firm belief, that his Constituent, would readily adopt whatever Resolutions should be determined on by this Meeting.

XC.
Destitution in
Ross-shire,
1783.

Thereafter Mr Robertson, Factor of Cadboll, produced a Letter from Charles Robertson of Kindeace, Esq.; regretting the impossibility of his attending on the present Occasion on account of bad Health, but stating fully his Sentiments, upon what was to be the Subject of their deliberation.

After which, the Gentlemen present, having taken the State of the Country into their serious Consideration, and having maturely and deliberately reasoned thereon, they were unanimously of Opinion, that the Situation of the whole of this Country is extremely critical, and that if severe and harsh Measures are adopted, by the Proprietors of Estates, in forcing the Payment of their Arrears at this time, though the Conversion should be at a low Rate, it must have the Effect of driving the Tenantry into despondency, and bring a great Majority of them to immediate and inevitable Ruin; and in so doing, will go near to lay the Country waste, which to the personal Knowledge of this Meeting, has been for these Two Hundred Years back over-rented; and if once the present Set of Tenantry are removed, there would be very little probability of getting them replaced from any other Country. That on the other Hand, if a moderate Rate of Conversion is adopted, and a separate Security taken therefore, there is every Reason to expect, that the People will be actuated by Principles of Gratitude, to reduce that Debt by degrees, and to make a regular Payment of the current Rent in kind. The Meeting are aware, that there ought to be exceptions to any General Rules they may adopt, which they will state in the succeeding Part of this Minute, so far as they may occur.

Upon which the Meeting came to the following Resolutions unanimously:

Imo. That when stating with their Tenants for Arrears of Crop 1782, and Preceedings, the same shall be charged (with the under-mentioned Exceptions), at a Conversion not exceeding TWELVE SHILLINGS Sterling per BOLL.

IIdo. That a Bill or Security, payable at the Term of Whitsunday next, shall be taken for the Amount of the Arrears due by each Tenant respectively, charged at the Conversion above-mentioned.

IIIto. That the Tenants shall be assured at counting, or when otherwise conveyed for that Purpose, that whatever Victual they do pay into their Masters, exceeding the Amount of their Rents respectively, for Crop 1783, they shall be allowed Credit therefore in part extinction of the Security granted, at the highest Rate, the Victual on the Estate to which they belong does Sell for.

IVto. That the Tenants granting Security as above, shall be assured, that while they continue to make regular Payments of their succeeding Rents, and satisfy their Masters, that they use all their Exertions by a sober and industrious Conduct, to reduce the Debt incurred as above-mentioned, and do remain on the Estate, that no Interest will be charged on the Balance which may remain due on that Account, nor will they be personally distressed for the same.

Vto. That the above Indulgence on the above Conditions, will remain in force for Three Years and Crops.

VItto. As the Meeting are convinced that Frauds have been committed by some of their Tenants, and Advantages taken of the General Calamity, which raised the Price of Victual to an unusual height last Season, by their selling

XC.

Destitution in
Ross-shire,
1783.

Quantities clandestinely, which ought to have been delivered to their Masters: They do recommend, that every Endeavour should be used to discover the Tenants who made Sales in that fraudulent Manner, and that they should be excepted from the Benefit of the above General Rules, and be made to pay the Price they exacted from those to whom they Sold.

VII^{mo}. That as the Gentlemen Clergy will not probably be satisfied with the Rate of Conversion above-mentioned, for what Arrears of Stipend Crop 1782, may happen to be due them; This Meeting do Resolve, and consider it as a proper and equitable Measure, that in settling with the Tenants, the Amount of the Stipend due to the Ministers respectively, from each Estate, should be proportioned on the whole Tenants of the Estate, at the precise Rate the Reverend Clergy do charge the Proprietors; and that this Sum shall not be made any Part of the Debts for which their Securities are to be taken, but must be paid either immediately in Money or Victual, taken therefore at the current Country Price.

VIII^{vo}. The Meeting do consider, that Tenants who have removed at Whitsunday last, from the Estate where the Arrear has been contracted, are not altogether entitled to the Benefit of the above lenient Resolutions; but they would Propose, that so far as the Crop they have left on the Possession from whence they removed may go, after paying the current Years Rent, that a Boll of that Crop shall be taken in full Payment of a Boll of their Arrears; and that in so far as the Crop cannot pay both, that the Balance shall be converted at a Price not exceeding EIGHTEEN SHILLINGS Sterling per BOLL.

IX^{mo}. The Meeting are aware, that there are Feu-Duties payable in kind by Vassals, Proprietors of certain Estates, in this Country to their Superiors, which they hereby declare do not come within the scope or meaning of the above Resolutions; neither can the Case of those Tenants who have Leases at low Conversions, be supposed to come within the meaning of these Resolutions.

X^{mo}. Though none of the Gentlemen Proprietors present in this Meeting are themselves possessors of Highland Property, they are fully in the Knowledge of the State of the Highland part of this Country; and knowing how much they have suffered from the loss of Cattle, Spring 1782, and total failure of the succeeding Crop, with the high Price they paid for Victual to support them, during this last Season, they are satisfied, that they are reduced almost to absolute Poverty; and though they cannot point out the particular Mode the Proprietors of these Estates ought to adopt, to afford them the most effectual Relief, they must recommend in General Terms, the most lenient and tender Treatment, to prevent that part of the Country being depopulated and laid waste.

XI^{mo}. The Gentlemen of the Meeting Proprietors of Land, have for themselves, determined to adopt the above Resolutions in stating with their Tenants; and though they are sensible they cannot enforce them through the Country in general, yet they will venture earnestly to recommend to those Gentlemen, Proprietors of Estates in this part of the Country, who are themselves absent, and cannot be supposed to know so much of the real Situation of the People as they do, to give Directions to their Factors or Men of Business, to enquire into the Grounds on which these Resolutions are framed, and to adopt them or not as they shall see cause, after making such enquiry; and intreat that they may not neglect this, as the Consequences may be more dangerous than they are aware of.

Though some of the Gentlemen Proprietors or their Factors, may have already stated with their Tenants, by a different Plan from what is proposed in the above Minutes, The Meeting do recommend, that these Tenants should be again called upon, and their Arrears settled for in Terms of the above Resolutions; as it would be a peculiar hardship on these People, to suffer for no other Reason than having been settled with before this Meeting.

XC.
—
Destitution in
Ross-shire,
1783.

XII^{mo}. The Meeting to prevent a Misrepresentation of their Proceedings, desire Mr Davidson their Clerk, to procure a Copy of these Minutes, certified by the Præsēs, to be Printed at Inverness, and to procure Sixty or One Hundred Copies of them, which he shall deliver to any Person who calls for the same upon paying a Proportion of the Expence of Printing them.

(Signed)

DONALD MACLEOD, Præsēs

XCI.

STATEMENT regarding HIGHLAND CLUB FARMS, by the late WILLIAM
MACKENZIE, Esq., Factor for Ardross and Lochalsh.

(Written in 1881.)

As a general rule, hill grazings are held by tenants at will and in common. The grazings may carry from two hundred to probably one thousand sheep, and are occupied by from fourteen to sixteen, or perhaps more tenants, each having his own mark. Along with the sheep they generally have each from three to four cows with their followers, and a horse.

The rent is generally equally apportioned among them, but it sometimes varies, as one tenant may have more sheep than another. This is most frequently caused by some one of them falling behind, or by a son getting married and settling down with his father.

In the event of a tenant falling pecuniarily behind, no other resource is left him to meet his demands than by reducing his stock. Once compelled to do so, he has seldom a chance of retrieving.

He complains to the proprietor or factor that he has only so many sheep, and that his neighbours have so many more. This is the first cause of a difference arising in the rent, it being reduced in proportion to his stock.

This does not improve the position of the tenant, who continues to fall behind with his rent. He is still, however, allowed to remain on the farm, until at length he comes forward and says that he is obliged to dispose of all his sheep. He is likewise permitted to keep his cow or cows, and perhaps a few sheep, his proportion of rent being allocated over the remaining tenants, in doing which a difficulty is often experienced in putting the rise of rent upon the proper parties, as some may have more sheep in one year than another, and perhaps causing the grazings to be overstocked.

They have some arable land, laboured under what is called the run-rig system, which they apportion among themselves. This land lies generally in a flat, intersected by small burns, gullies, and knolls, or perhaps a large burn or river runs through it, or it may skirt the sides of a fresh-water lake. This arable land changes hands among themselves annually, so that the man who may be inclined to do justice to the land by good husbandry has no great inducement to do so, because however well he may cultivate, the benefit he derives from his labour is confined to the particular year of his tillage. When the lands are contiguous the houses are generally built in a cluster, on rising ground beyond the reach of hill burns when in flood, and in some conspicuous part of the low ground at a point convenient to the centre of the arable land. Where the land is detached in patches, the houses are relatively scattered.

The arable land is only temporarily enclosed from the grazing portion, and consequently the cattle, horses, and sheep have access to the crops, and damage them much. Another cause of loss in many localities is the flooding of the burns, the effect of both operating together being to diminish the quantity and deteriorate the quality of both corn and straw to such an extent that there is not sufficient left to provide meal for the tenants and fodder for their cattle,

so that at times, with a late harvest and a severe winter, they have a hard struggle to make both ends meet. Till within the last forty years very few sheep were kept by this class of tenants; seldom more than were sufficient to supply home-spun clothing for the family, and occasional webs for sale at the local markets. The milch cows were herded near the dwelling-houses, and when the crops were sown the old cattle and horses were sent to the hills several miles away, under the charge of a common herd. The hill grazings were generally held in common, and apportioned to each district or township. There were also the sheilings to which they sent the cows from June to the end of September. Each township had its sheiling, its family, and its bothy thereon. The best part of the grazing was selected for the sheiling, generally in a ravine or some sheltered spot, close by a running stream or loch. The women made it their duty to attend to the sheiling, milking the cows, and making butter and cheese, which, on their return to the low ground in September, they sold at the local markets.

XCI.

William
Mackenzie
Esq.

The demand for and prices obtained for wool and sheep have done away with the grazing of cattle and sheilings, and have turned attention to the rearing of sheep.

We shall now give some idea of the practical and successful working of club farms on leases of from fourteen to nineteen years on the estates of Ardross, which we began to arrange and lay out upwards of twenty years ago. Four examples shall be given as to situation and the capabilities of the ground, each of them having from two to fourteen tenants.

Example No. 1.—A farm where there were fourteen tenants, among them descendants of former generations, who had occupied the land in succession for upwards of three hundred years,—paid altogether a rent of £100, and kept some four hundred sheep. Each tenant had his own mark or burn, from one to four cows, with their followers, and about six horses. Owing to the situation of the ground the houses were scattered over a flat, with a river running through it, having tributary burns. There were likewise deep gullies and water runs. The burns had done considerable damage to the lower portion of the ground, and often by overflowing destroyed a great part of the crops; most of the tenants were in arrears of rent, some of them had not paid any rent for years. Only one of the tenants was able to keep up the stock with which he commenced, and add to it as his neighbours fell behind; the stock of some of them were reduced to as few as three sheep. The families as they grew up left home; some to engage as shepherds and artisans, others to emigrate. But under all their difficulties the people were contented, lived happily, God-fearing, and law-abiding, a quarrel or dispute amongst them being unknown. They looked for the protection of their proprietor and factor, and the guidance of their minister.

The first step taken in the organisation of this farm was to lay off the best part of the low ground attached to the arable land, and which they used for the purpose of grazing their cows; this portion contained about two hundred acres. It was first enclosed by a wide open ditch having a slope towards the hill side to catch the water, the stuff taken out of the ditch being used for making a bank upon the lower side; a wire fence was then erected upon the top of the bank, and the water conducted to the different burns in the vicinity. Eight tenants were selected, the low ground lying along the river was divided into eight lots; a new cottage was erected upon each, a service road ran close by them, timber and lime was given for their offices free of charge, and the low burns or watercourses were so divided that they acted for the marches of the

XCL

William
Mackenzie,
Esq

different lots as far as practicable, while at the same time prevented the burns from overflowing the lands.

Whatever land was found capable of being improved was improved, and the old arable land was drained. Each of the eight tenants got his own arable land with the grazings attached within the ring fence at a valued rent, and kept a horse, with from three to four cows; a separate slump rent being put on the hill-grazings, each tenant paying an equal proportion of it. The cows and their followers were not allowed to go on the sheep grazing.

The next step was to take delivery of their sheep stock, which, as might be expected, from having so many owners, was very inferior in quality, at a valuation made by arbiters mutually chosen by proprietor and tenants. After the award was given in, each tenant paid an equal share of the price of the stock. Those who had sheep which came to more than their share received payment for the same, and those who had what came to less paid in; some of these were unable to do so at the time, but credit was procured for them, on which they paid interest, and the principal was paid up by instalments.

At the delivery, which took place about the end of May, one mark was put upon the whole sheep stock, and leases of nineteen years given them. Two of the tenants were elected annually as managers of the sheep, and they had charge of sales and purchases; they kept a common shepherd. Each of the tenants was equally interested in the stock. To get it improved in as short a time as practicable, the greater part of it was cast during the first year. Young sheep were bought in, and arrangements made to have the farm self-sustaining by three years in black-faced ewes and widders.

The tups were all sold the first year, and replaced by the hardiest and most useful that could be procured of their class—fresh blood being introduced annually. At the same time they got an additional piece of hill grazing, which enabled them to increase their stock to six hundred sheep; their rent, including interest on improvements, being now £180. As the ground was not adapted for hogging, the tenants were bound by their leases to winter their hogs. All these and similar regulations regarding the cultivation and management of their lands and grazing generally were at the outset so new to them that we made it a point to visit them occasionally during the first few years to see that they were carried out. We always found them anxious and willing to do what they were desired, knowing that it was for their own good. Their children took such an interest in, and were so delighted with, the improved change, that both sons and daughters, who were at service, assisted with their earnings to clear the price of the stock, and to get offices erected.

The remaining six tenants,—frail old people, some of them widows,—were allowed to remain in their houses (with gardens attached) rent free, and were supported by their families, and assisted by the other tenants, who were as grateful at their being allowed to remain as the old people themselves were.

Example No. 2.—Some thirty years ago, when Mr Matheson purchased the estate of Ardross, he took into his own hands a large sheep farm thereon, for the purpose of enabling him to carry out his extensive improvements. Part of the low ground of this farm runs along a river for about two and a half miles. This flat at one time was occupied by thirteen tenants; but about sixty years ago they were ejected and the ground was put under sheep. Our present example is the conversion of this flat into a club farm. On accompanying the factor over the ground, with the plan of the then proposed farm before us, he made the pleasant remark: 'The most has been made of this, and I should like to see it

'carried out.' The reply made to him was, 'It could easily be done'; and when accomplished, it might form a model for the laying out of club farms.

XCI.

William
Mackenzie,
Esq.

The first step taken was to construct a service road, with a stone dyke built along the side of it, dividing the low ground from the hill grazing. The best portions of the low ground were very much deteriorated by being so long exclusively under sheep, which caused the land to run under moss and heather. This portion of the ground was divided into six divisions, each enclosed by a fence, the site of a dwelling-house and offices laid off upon each division, then dwelling-houses were erected, and six tenants selected, three of whom were experienced shepherds, one a butcher, one a gamekeeper, and the sixth a tenant removed from another part of the estate. These tenants entered at the rent at which the farm was valued by the County Assessor when in the occupancy of the proprietor.

A comfortable cottage, lathed and plastered, and having attics, was built for each tenant, timber and lime being allowed free of charge.

All the land capable of improvement within the ring fence was reclaimed, and the tenants were charged £1 per acre for the same (exclusive of the original rent), and leases of nineteen years given to them.

The sheep stock had been formerly Cheviot, but in the spring previous to the tenants' entry it was substituted by a black-faced self-sustaining ewe and wedder stock, and handed over to them at the purchase price. Those who were unable to pay in full got credit on interest, and were allowed to pay the stock by instalments, which, after a time, were all paid up. Each of the tenants kept from four to six cows, with their followers, and a pair of horses, the cattle being restricted to within the ring fence. They used the services of a pure short-horn bull, and they got from £4 to £6 for the calves when milked, and from £9 to £11 for the stirks. As the ground was not suitable for hogging, the tenants were bound by their leases to winter the hogs. They kept a regular shepherd, but assisted him themselves when required. Two of their number were elected annually as managers, and they had charge of the purchases and sales. Each tenant, after a few years, got a thrashing mill,—one driven by water, the others by horse-power.

With the exception of two or three years, which had been much against farming interests everywhere, they have been doing well. Thanks to their own industry, a school, with a selected teacher, was placed within reach, and it was built by the proprietor, and partly supported by him; all the tenants availed themselves of this opportunity of educating their families. The women vie with each other in rearing poultry and making dairy produce; the latter they have supplied to private families in Edinburgh and other places, and they have a demand greater than they can supply.

The sons of some of the tenants hold positions of trust in important commercial establishments at home and abroad, and others are successful farmers in America and New Zealand. The daughters of some act in the capacity of governesses; one conducts a public school in England, and one had the offer of being sent to China as a missionary.

The tenants have now entered upon their second nineteen years lease, and to encourage them the proprietor granted new leases four years before the old one expired. A difference among them has been unknown; on the contrary, they have always been on the most friendly terms.

Example No. 3.—Another part of this farm was let on a lease of nineteen years to two tenants at the Assessor's valued rent to commence with, about

XCI

William
Mackenzie,
Esq.

one hundred and twenty acres of the low ground being allotted to each. The improvement of the land was proceeded with as the tenants were able to cultivate, and after it yielded the first crop it was valued at 12s. per acre to them.

Comfortable dwelling-houses were erected for them, and timber and lime for offices were given free.

The sheep stock was their own at entry, and consisted of about six hundred black-faced ewes and wedders, self-sustaining, having one mark. A mixed stock of cattle and sheep was kept on this farm. The tenants have entered upon their second nineteen years lease.

Example No. 4 was a club farm of eight tenants. The township was situated upon a prominent terrace, the houses being grouped together. For several centuries back it had been occupied by tenants at will, the children succeeding their fathers. It was owned by a powerful Highland chief, in whose family it remained until about twenty-four years ago, when it passed into the hands of a new proprietor. When he came into possession, the farm had only eight tenants, but he added other two, whom he removed from another part of the property to make room for deer. The arable land lay in detached portions surrounding the township. Three burns ran through the lands, two of which discharged themselves into the sea, and the third into a river which bounded the farm on one side. At times both river and burns rose so high that they overflowed a great portion of the best land. The arable land was cultivated on the run-rig system, and it together with the hill grazing was held in common. The tenants at this time had eight hundred to one thousand black-faced sheep, ewe and wedder, four cows each with their followers, and a horse. Each had his own stock mark. They paid conjointly a rent of £100. Thirteen years ago the property passed into the hands of the present proprietor, Mr Matheson of Ardross (he being the third proprietor within twelve years), who, as was his custom, set about improving the property, at the same time bettering the condition of the tenants.

The arable land had no proper enclosure, and was therefore exposed to injury by sheep, cattle, and horses, the herding of which took up a great part of the tenants' time. Besides the damage done to the crops, the cattle and sheep were injured by hounding. The first thing done was to enclose the improved land, and the low ground which was intended to be the cows' grazing. The next was to protect the land from the burns and river, and to improve by trench-ploughing, draining and clearing from stones, the land capable of improvement. The formation of the ground did not admit of the tenants' houses being scattered, which would have incurred a considerable additional outlay, and as the land would not have offered the increase of rent to meet the interest on this and the other outlays, the outlays had to be confined to enclosing, reclaiming, and protecting the land from the flooding of the burns and rivers. The tenants were supplied with timber and lime free of charge for repairing their houses and offices. All that was capable of being improved was converted into arable land, and enclosed into five different shifts, cultivated in common, one-fifth under green crop, two-fifths under white, and two-fifths under one and two years' grass. When these improvements were completed the tenants got new leases of fourteen years, and the rent was raised to £182, 10s., the stock both of cattle and sheep being about the same. The sheep, a much improved stock, were under one mark, herded by a regular shepherd, and managed by two of themselves, annually elected. They were much better off now, being able to raise corn sufficient for meal for their families and straw for their cattle.

They also had plenty of turnips for their cows and sheep, and had some potatoes to sell.

XCI.

They are contented and grateful, and have that genuine feeling towards their proprietor which is only to be found in this class of tenants when properly treated. One of the ten tenants has left for a large holding, his share being divided among the remaining nine, and what is desired is that the number afterwards should be reduced to eight, which will be done when an opportunity occurs for another of their number to leave to better himself, evictions being alien to the proprietor.

William
Mackenzie,
Esq.

The best green ground along the sea-board, and in valleys in the Highlands in large farms exclusively under sheep, are quite run out with fog, ferns, and heather. This would not be the case were the occupants small farmers, who would keep a mixed stock of sheep, cattle, and horses, which large farmers do not keep. The remedy lies in giving the land to small farmers with hill grazings in connection with the low ground. The grazing not to be less in extent than to carry six cows with their followers and one hundred sheep. The high lands with their corries to be put under deer, for which they are better adapted than for sheep. There are many large sheep farms which would bring a higher rent in this way than by keeping them in large holdings exclusively under sheep, as is now too much the custom. The other mode would give a numerous class of industrious resident tenants, themselves and their families doing all the farm work.

XCII.

XCII.

Rev. N. N.
Mackay.

COMMUNICATION on the WEST COAST.

THE MANSE, LOCHINVER, N.B.,
25th January 1884.

SIR,—Will you have the goodness to submit the enclosed resolutions to the Royal Commission.—I have the honour to be, Sir, your obedient Servant,

NORMAN N. MACKAY.

The Secretary,
Royal Commission (Highlands and Islands).

Resolutions passed at a meeting of Crofters and Fishermen, held near Lochinver, Sutherlandshire, on the 24th January 1884.

1. That the attention of the Royal Commission for the Highlands ought to be called to the following facts :—
2. That although a large body of herring has for the last two months been in all the lochs on this coast, from Cape Wrath to Ullapool, the fishing has been comparatively unremunerative, owing to the want of proper communication with the south, and the necessary facilities for prosecuting the fishing,—such as quays, stores of salt, and barrels, &c.
3. That at Lochinver about 1000 crans were landed in one day, which had to be sold at 3s. the cran for the reasons stated in the foregoing resolution; and that in some of the other lochs the fishing had to be given up because there were no means of curing the herring, nor could they be sold at prices which would pay the damage to the nets.
4. That the fishing on this coast is being prosecuted under very great disadvantages and discouragement, and that the consequence has been a loss of several thousand pounds within the last two months.
5. And that this meeting desires humbly to request the Royal Commission to press upon the Government the necessity of giving, without delay, proper facilities and encouragement for the prosecution of the fishing on this coast.
6. That the Chairman of this meeting, Rev. N. N. Mackay, Lochinver, be requested to send these resolutions to the Secretary of the Royal Commission.

NORMAN NICOLSON MACKAY,
Chairman of the Meeting.

XCIII.

FURTHER STATEMENT by WILLIAM MACKAY, Esq., Chamberlain
of Lewis.

CHAMBERLAIN'S OFFICE, STORNOWAY,
16th February 1884.

XCIII.
—
William
Mackay, Esq.
Chamberlain of
Lewis.

I duly received the Secretary's letter of the 4th inst., enclosing a portion a statement made before the Commissioners by the Rev. Murdo Macaskill, of Greenock.

With regard to the case of the crofter in the *quoad sacra* parish of Knock, to which Mr Macaskill refers, Mr D. Munro, who was factor at the time, says he knows nothing about this crofter's case, and does not recollect anything about it.

The ground officer referred to is now dead; but I venture to say, in regard to him, that he was a man not ready to take offence, and never would have taken offence for a crofter saying to him 'that his boundary line did not look so 'straight as the old one,' nor for language used towards him a thousand times more offensive. He was a quiet, honest, and inoffensive man, that would injure no one, and incapable of doing a harsh or cruel act towards a crofter. I am confident that every crofter in the parish of Stornoway that knew him would bear testimony to this effect regarding him, if it were necessary to do so.

Now, as to the Knock crofter.

During the year 1857, there arose a dispute between the crofters of Knock and the adjoining crofters of Swordale as to the march between the two townships. The ground officer was sent to settle or adjust the point in dispute, and, while doing so, one of the Knock crofters—Murdo Macaulay—objected to the line of march as laid down by the ground officer; and as the ground officer placed marks or pegs to indicate the march, Macaulay removed these marks. He was remonstrated with for so doing, and told by the ground officer that unless he desisted from removing the marks he would have to report him to the factor. Still Macaulay persisted in removing these marks. Thereafter, the ground officer reported to the factor how he had adjusted the march, but that Macaulay objected to his line of march and removed his marks as he laid them down. Some time thereafter Mr Munro, the factor, sent Macaulay a summons of removal. Next year Macaulay and his father-in-law waited on the factor, when Macaulay got back his croft at an increased rent of 10s., and payment of the expenses of the summons of removal, £2.

These are the facts of the case, whatever way it might have been represented to Mr Macaskill.

Mr Macaskill goes on to say that—'After all the money spent, the fact still 'remains painfully evident and beyond contradiction that the condition of the 'people is now as bad, if not worse, both as to habitations and general circum-
'stances, than when Sir James bought the estate.'

Mr Macaskill must have known very little, if anything, of the habitations and general circumstances of the people when Sir James bought the estate, when he would affirm that they are worse now than they were then.

XCHH.

William
Mackay, Esq.,
Chamberlain of
Lewis.

I maintain that, though there is still much room for improvement, the habits and general circumstances of the people are vastly improved to what they were in 1844.

In the district or parish of Knock, which Mr Macaskill seems to know best, there are many new houses with gables and chimneys, roofed with tiles, and some with slates. All, I may say, have improved household furniture and other cookery and domestic utensils for domestic use, which was not the case in 1844. I have been told that when the minister of the parish of Lochs went to preach in the district of Carloway, shortly before the Disruption, there was only one stoneware bowl in the district from which he could take a drink. Now every house has its supply of crockery and crystal necessary for their requirements.

Anyone who saw the people assembled in church in any district of the Lews in 1844, and see them to-day, would see a vast improvement in their appearance and dress. In the most remote corner of the island the majority of the men and women are on the Sabbath day well clad, and many dressed in the latest fashions of the day.

Mr Macaskill says—'The soil in possession of these large farmers is by far the best of the Lews, and yields, considering the quality of the soil, a far lower rent than the portion in the hands of the crofters. It was all very well for the factor of the Lews to give the rental per acre of the land in possession of both classes, in order to show the higher percentage yielded by the land in possession of the large farmers, while he carefully refrained from giving any idea of their relative quality.'

I still maintain that the quality of the land in the possession of the crofters, if not superior, is equal to any in the possession of the large farmers, though the arable land in the possession of the large farmers is in a better state of cultivation; and further, that the crofters are not paying so high a rent as the large farmers. The large farmers pay their rents in full, whereas a large proportion of the crofters' rents are never paid. From 10 to 20 per cent. is annually lost of the crofters' rents in this way as irrecoverable arrears.

The crofters do not complain of being too highly rented, nor do they desire a valuation of their crofts; and I am safe in saying that there is not a crofter township in the island, if open to let to one farmer, that from one-fourth to one-half more rent than the crofters pay would be got from any of these townships.

With regard to the quality of the land in the possession of crofters and large farmers, I enclose a statement by Mr G. Foulie, who, from his practical experience of farming and frequent opportunities of travelling over and examining every farm and crofter township in the island, is better qualified to give an opinion on this point than Mr Macaskill, who may have only seen but a small portion of the Lews.

WM. MACKAY.

ENCLOSURE.

I am a native of Aberdeenshire, and have been all my life connected with the working of arable and grazing farms in the counties of Aberdeen, Banff, Moray, Sutherland, and Ross; and for the last twenty-two years I have managed the Manor, or Home Farm, Stornoway, in the island of Lews. During these years I have frequently examined and gone over every farm and crofter township in

the island. I therefore know every inch of the Lews, and the nature and quality of the soil for grazing and agricultural purposes. I have no hesitation in stating that the best arable land in the island is in the possession of crofters, and, speaking generally, the arable land under crofters is superior to the arable land on the grazing farms. As to the pasture lands held by crofters,—

XCIII.
—
William
Mackay, Esq.,
Chamberlain of
Lewis.

In the parish of Lochs, the crofters' pasture land is superior to that held by tacksmen.

In the parish of Uig, the pasture lands are equal to that held by the tacksmen.

In the parish of Barvas, a large proportion of the pasture lands is inferior, and is all held by crofters, with the exception of one farm, the moor pasture of which is not superior to that held by crofters.

In the parish of Stornoway, the pasture lands held by crofters are equal in quality to that held by tacksmen.

With regard to the crofters' lands, it is wholly overstocked, and therefore always bare and looks poor; and another thing that adds to the scarcity and poverty of their pasture is the system they have of removing the surface of the lands adjoining their houses, and frequently the best pasture lands, for bedding their cattle. The area of ground from which the surface in this way is annually removed, along with the area from which the surface has been removed for peat-cutting, will be about 250 acres every year.

GAVIN FOULIE

Manor Farm,
Stornoway, 16th February 1884.

XCIV.

XC1
 Rev. R.
 Morison.

STATEMENT regarding Deer Forests in the Highlands. By Rev
 RODERICK MORISON, Minister of the Established Church
 Kintail, Ross-shire.

KINTAIL MANSE, 10th October 1883.

Having obtained the permission of the Royal Commissioners to lay before them a statement of my views in regard to the present system of converting land into deer forests, I beg to submit the following remarks, in the hope that the importance of the subject and the paucity of evidence in regard to it laid before them hitherto, may excuse a somewhat lengthy communication.

It seems to me matter for regret that the attention of the Commission has not been drawn more than it has to this matter. What is being done at present and what may be looked for in the future, is at least as important as what took place from thirty to fifty years ago, in regard to which masses of evidence have been adduced.

No one feels more than I do the evil that has been wrought in the way of evictions and oppression of all kinds throughout the Highlands in days gone by. But most of it is irreparable now, and we shall do well to consider what is going on around us, and to see if anything can be done to arrest what nearly all Highlanders believe to be a great and growing evil.

The question at issue is simply whether the Highlands of Scotland are to be permitted to advance in civilisation and prosperity, like the rest of the world, or are to be forced back into a condition little better than barbarism, in order to satisfy the craving for what is called sport of one class, and the craving for money of another.

I.—EXTENT OF FORESTS.

Nothing is more difficult than to arrive at accurate statistics as to the extent of land which has been turned into forests. To do so would require an amount of local knowledge which no one person possesses, and it is further almost impossible to distinguish in the valuation rolls lands which are wholly forest from those which are let both as grazings and shootings.

Looking, however, at the maps of the Highland counties, and forming as good an estimate as one can of the amount of waste land, it seems safe to say that an area equal to the two largest counties in Scotland has been laid waste. This would mean a good deal more than *four millions and a half imperial acres*, or about eight hundred thousand acres more than the whole of Yorkshire.

If this is regarded as an exaggeration, I may add that one individual holds an amount that has been estimated at 200,000 acres. There are perhaps others who have as much, and certainly this person does not hold a twentieth part of the deer forests of Scotland. If, as is more likely, he does not hold more than a thirtieth part of them, and his holding is properly estimated, it will be seen that the figures given are not at all too large.

We are told by people who know the country that one can travel over forest land almost in a straight line from Loch Broom, on the confines of Sutherland

to Fort William in one direction, and to within a short distance of the town of Forfar in another; and a reference to the map will show that the statement is nearly, if not quite, accurate. Some of the largest forests in Scotland are north and west of this tract, and fall to be added to it.

Now this land is wholly withdrawn from contributing to the supply of any of the needs of the human race, except the need of Highland lairds for cash. The venison produced is not worth speaking of, and is indeed often, if not generally, left to rot on the ground or thrown to dogs. And though no doubt wages are paid to keepers, gillies, watchers, &c., none of these men are productive labourers, and they are as completely withdrawn from the industrial population as the land on which they live from the food-producing resources of the country.

Further, it is well known that the life these men lead is demoralising in the extreme, and soon renders the majority of them useless for any purpose except that for which they are trained, so that when thrown out of employment they become simply an incubus on society.

Removed, as most of them are, from all the influences of religion, education, and social and family life, it is difficult to foretell what they may become. They are not unlikely to prove, in course of time, a very troublesome and difficult element in the social fabric.

II.—DEPOPULATION.

It is constantly said by the defenders of the forest system that the effects produced by it in the way of depopulation are not appreciable, and that the cry raised against it on this ground is without foundation. This is not true, and many instances might be adduced of townships cleared away, or deprived of their lands to such an extent that the people found it their interest to leave, and so clearances have been effected without exciting much public attention or causing any great outcry. We have, however, recently seen an attempt to evict from one forest a large number of people, and if that attempt had proved, or should hereafter prove, successful, it would no doubt be the signal for many similar proceedings throughout the country. No doubt much of the land taken up as forests was cleared of its inhabitants long ago to make sheep farms, and there has therefore been no need to clear it now. As far, however, as it was necessary, this has been done, and there is beyond doubt a constant draining away of the industrious population in progress, which cannot fail to have the worst effect on the country. Every one who knows the Highlands will, we think, agree that the shepherd class was and is about the most comfortable and contented among the labouring population, and forms one of the most valuable sections of it in every way. No other class raises such large and healthy families, or contributed, in proportion to their numbers, so many members to the domestic and other industries of the country. Now this class is being surely and rapidly exterminated. Glen after glen is being cleared of its shepherd families, who are replaced by one or two solitary game watchers, or 'stoppers,' as they are popularly called, who are usually the idlest of people pretending to earn a living, and the best customers of the adjacent public houses and smugglers.

But we know that the evil does not stop here. There are many ways in which a farm helps the people near it to live, employing them as labourers, drovers, assistant shepherds, &c., while the forest usually does nothing to help. The

XCIV
 Rev. R.
 Morison.

few hands employed are, for obvious reasons, brought from a distance in most cases. The consequence is that the people must remove to towns or emigrate, and thus their numbers are being steadily diminished, though we are spared such spectacles as disgraced the last generation, and of which such harrowing accounts have been laid before the Commission.

And let it be observed that the process of depletion is being carried out, not in densely populated districts, where it might perhaps be well for all parties if some reduction in numbers were made, but in places where the number of people is small, as many of us think far too small, already.

While I consider that sheep farms are infinitely preferable to forests as regards the welfare of the country and the people, I am by no means of opinion that the system of large farms is the perfection of land management. I am convinced that the true wisdom of proprietors, and the true interest of the country is to have holdings of moderate and varying size, to suit the requirements of different tenants, and so to maintain a comfortable, contented, and self-sustaining population, which can be done without detriment to any one, and to the manifest benefit of the country at large.

It has been said that by depopulating the country we are weakening our means of national defence, and the reply to this has been that the Highlands are of little or no value as a recruiting ground, and that all our soldiers are got from the towns. But it is well known that many of the recruits there obtained are natives of the Highlands, who enlist much more readily when away from home, and are originally drawn from the crofter and labouring population of the north. It is equally well known that the contributions to the militia and naval reserve, made by the people of the Highlands and Islands are very valuable, and could be ill dispensed with. And while it is no doubt true that men should be preserved in the country for higher and nobler ends than to be on occasion shedders of blood, or 'food for powder,' we know that no country can afford to despise the risks of war and invasion, and that while there are men, there is always the raw material of an army to be drawn upon in case of emergency, either by voluntary enlistment, or if need be, as in other countries, by conscription. On this point, however, I have no desire to enlarge, and therefore pass to the next branch of the subject.

III.—THE GENERAL EFFECT ON THE COUNTRY.

The general effect on the Highlands of the forest system I believe to be in a very great degree an evil one. We hear no doubt much from time to time of the immense amount of money brought into the country by sportsmen—the 'shower of gold' that annually falls on the Highlands, and so on. It is of course impossible that all the money lavished on this form of sport could be spent without benefiting some people in the districts in which it is expended. But it is very evident that the benefit done to the country and its inhabitants is much more apparent than real. The large sums paid as rent are chiefly taken away from the Highlands and expended in London and elsewhere, a very small portion being spent on local improvements or works likely to give employment to the people. And most of what is paid to the persons employed about forests goes, as I have already pointed out, to train them not to honest industry, but to habits of idleness and laziness.

A much smaller amount of money given for the real useful products of the soil and the labour of the people would be of infinitely more benefit to the

country. As it is the land is being denuded of all capital, skill, industry, stock, and everything that gives it true value, and if any change of circumstances or of fashions should make it lose its present artificial value for the purposes of sport it would for a long period be almost valueless to the owners.

Again, under this system everything like a 'middle class' is rapidly disappearing. The better class of farmers will apparently soon cease to exist, and no one will be left except a few poor people at the seaside, the keepers and watchers, and the estate officials. The sporting tenants are only in the country for a few weeks in each year, and as a rule take no interest in public matters or in the state of the people, who have thus no one to turn to in any difficulty for counsel or aid, and are consequently becoming more helpless every day.

It is also matter for serious consideration how far the food supply of the country in general is likely to be affected by the desolation of all the best grazing lands. Myriads of sheep and thousands of cattle were sent to market in former years from lands which now produce nothing whatever. No doubt the large importations from abroad have hitherto made this less felt than it would otherwise have been. But it seems likely that the countries from which our chief supplies are drawn will in time consume their own produce more largely and export it less, and there is always the contingency that war may interfere with our commerce and stop importation for a time at least. The day is probably *not distant, if indeed it has not already arrived, when our hard-working population throughout Great Britain will pay heavily in the form of increased prices for meat for the sport of the wealthy few and the increased rents of our landlords.*

Forests are further most pernicious to such farms as adjoin them, and go far to render them untenable. No amount of herding will prevent sheep from wandering on to land which is so tempting from the abundant grass on it, and when they enter the forest the shepherds are not allowed to follow them. The men who drive them out, when they take the trouble to do so, are usually quite reckless in their usage of them, and drive them over rocks and into rivers, so that many are lost. Many also wander away into the depths of the forests and are never heard of. In some cases fences are put up to prevent this, but it is found in practice almost impossible to maintain those fences on high lands, as the sliding down of the snow tears them up and makes them useless. Many of them are practically destroyed the first winter after their erection, so that fencing, which it has been proposed to make compulsory, is really no sufficient remedy.

Again, forests are nurseries of vermin of all kinds, but especially foxes, which have of late increased vastly in number. On one farm, known to the writer, upwards of thirty sheep and fifty lambs are known to have been destroyed in one season by foxes from the adjoining forests, and this source of injury is likely to increase. Thus farm after farm is given up in despair and added to the wilderness, and so the evil propagates itself and will probably do so unless checked, until from sea to sea we shall have one vast desert, sacred to the slayer of deer, and not to be encroached on by tourist, botanist, geologist, or any other who has not the pass of the autocrat at whose feet the land and its liberties have been cast by the lord of the soil.

IV.—THE REMEDY.

On this part of the subject I cannot venture to speak without some diffidence. None of the remedies proposed appear to me likely to be adopted, or to have much effect if they were.

It has been proposed to tax forests heavily. But most of those who indulge

XCIV.

Rev. R.
Morison.

in the sport seem careless how much they spend on it, and would not be deterred by any taxation. Indeed, one of the chief pleasures of the so-called sport seems to be the opportunity it affords of flaunting wealth in the faces of the poor and those of moderate means, so that a slight increase of expense could have no practical effect.

If a remedy is ever found it will probably be a very heroic one, such as is needed for an evil so deep seated.

As far as I can see it can only come through a radical change in the game and trespass laws, such as would concede to every one the right to traverse waste lands. If land is turned into a wilderness (it may perhaps some day be said) let the laws that apply to the wilderness in other parts of the world apply to it here also. Let it be free to every man to travel over it, and let every animal found on it be the property of the man who can capture it. If land is made available for the use of man, let it by all means have the protection of the law, and let the stock on it be as sacred as any other property. But it is at least open to question if people have any right to make use of laws framed for the civilisation and settlement of a country, for the purpose of devastating it for the supposed benefit of one or two individuals in a large district. It will no doubt be said that to interfere with the rights of property is to undermine the very foundations of society. To me it appears that those who endanger those rights are those who make them intolerable by a free and enlightened community.

It may I think be boldly said that all rights, customs, monopolies, and privileges that tend to the manifest injury of a country and its inhabitants, must and ought to—and eventually shall—fall before the increasing intelligence and advancing power of the people.

R. MORISON.

XCV.

FURTHER STATEMENT by JOHN BRUCE, Esq. of Sumburgh.

(See Evidence, p. 1399 and App. A., XLIX.)

XCV.

John Bruce,
Esq.

SANDLIDGE, 23rd February 1884.

Referring to the evidence by the Conningsburgh delegates, James Smith addressed a letter to the Commissioners, complaining of my conduct towards him. His complaint is this. He became my tenant in the cottage in 1856, at the low rent of £3 per annum, and after he had possessed the place about four years, he asked me to give him a nineteen years' lease, which I promised to do, and he was to come to Sandlodge some day and settle the terms, and have the lease written out. He came once, but found me engaged and unable to attend to him; but he never came again for this purpose, and no lease was ever written out. He had only my promise. The difference between us then was, at what date ought the verbal promise of a lease to commence from? If from the date of his entry on the premises, he had then been in possession more than twenty years when his rent was raised. But if his entry ought to commence at the date on which he asked for a lease, and I had promised to give him one, then, at the date on which his rent was raised, he was short four years of the promised nineteen years' lease.

On reconsidering the matter now, I have given James Smith the benefit of every doubt and doubtful point, and have paid to him with interest the extra rent which he had paid, and which he claimed, to his perfect content and satisfaction; and he went at once to Mr Clerk, Free Church minister, and delegate for Conningsburgh, and asked him to write to the Crofters' Commissioners and withdraw his letter of complaint against me. Mr Clerk promised to do so, but suggested to James Smith that I should also withdraw my letter to the Crofters' Commissioners, containing any statement which I may have made against him.

I now wish to have suppressed and withdrawn all that is in my letter to the Crofters' Commission reflecting on James Smith.

JOHN BRUCE.

XCVI.

XCVI

CORRESPONDENCE regarding alleged Eviction of Crofters in Mull.

Alleged
Eviction of
Crofters in
Mull.

A—Case of Angus M'Innes.

1. ANGUS M'INNES, Crofter, &c., to LORD NAPIER AND ETRICK, K.T.

TOBERMORY, 13th November 1883.

YOUR LORDSHIP,—I beg to state that I was one of the delegates appointed by the crofters and settlers here, and gave evidence before the Commission, and that I have on the 7th instant been served in consequence with a summons of removing against the term of Whitsunday next from my crofts, land, and gardens near my house and building lot here, at the instance of my landlord Alexander Allan, Esquire of Aros, of which I beg to enclose copy.

There was no promise required from Mr Allan that the delegates would not suffer at his hands, or that of his subordinates, for giving evidence as to the usage of these settlers and crofters by their successive several landlords of Tobermory.

My rent is paid to Whitsunday last, and I am prepared to pay the half-year's rent, feu, and peat-moss rent due by me at this term of Martinmas, at the usual collection day.—I have the honour to be, &c.,

ANGUS M'INNES,
Mason, Feuar, and Crofter, Tobermory.

Lord Napier,
Chairman of the Crofters' Royal Commission.

2. SECRETARY, Royal Commission (Highlands and Islands), to ANGUS M'INNES.

ROYAL COMMISSION (Highlands and Islands),
REGISTER HOUSE, EDINBURGH,
17th November 1883.

SIR,—I have to acknowledge the receipt of your letter of the 13th inst., stating that you have received a summons of removing at Whitsunday next from your croft, land, and garden at Tobermory, at the instance of your proprietor, Mr Alexander Allan of Aros; and enclosing a copy of the summons.

You have at the same time intimated your belief that this step has been taken against you in consequence of the evidence given by you before the Royal Commission as a delegate from the crofters at Tobermory.

Your letter has been referred, by the directions of the Chairman of the Commission, to Mr Allan for any explanation which he may see fit to make.—I am, Sir, your obedient Servant,

Mr Angus M'Innes.

ROBERT HOLDEN
for Secretary.

3. SECRETARY, Royal Commission (Highlands and Islands), to ALEXANDER ALLAN, Esq. of Aros.

XCVI.

Alleged
Eviction of
Crofters in
Mull

ROYAL COMMISSION (Highlands and Islands),
NEW REGISTER HOUSE, EDINBURGH,
19th November 1883.

SIR,—I am directed to forward to you the enclosed copy of a letter which has been received from Mr Angus M'Innes by the Chairman of this Commission, and to request that you will favour me with any observations thereon which you may be disposed to make,—I am, Sir, &c.,

Alexander Allan, Esq. of Aros.

MALCOLM M'NEILL,
Secretary.

4. ALEX. ALLAN, Esq. of Aros, to SECRETARY, Royal Commission (Highlands and Islands).*

AROS HOUSE, TOBERMORY, ARGYLLSHIRE,
23rd November 1883.

SIR,—I have to acknowledge receipt of your letter of 19th inst., enclosing letter from Angus M'Innes, Tobermory, to the Royal Commission.

Angus M'Innes, when examined before the Commission at Tobermory on 10th August, stated that there was no work to be obtained in the town.

From a calculation recently made, I find that during the last nine years upward of £59,000 have been expended in Tobermory and the immediate vicinity, mostly in the erection of houses and other buildings. The fact that such a large sum should have been spent in a town of 1200 inhabitants, will enable you easily to judge as to the truthfulness of M'Innes' statement.

I may further add that two houses are at present in course of erection, and arrangements are being made to commence others in spring.

The house extension of Tobermory necessitated my taking a croft from a tenant who had occupied it for many years; feeling desirous of providing him with another croft, I gave him the one from which M'Innes has been removed.

I do not look upon M'Innes as a crofter; he is a mason in comfortable circumstances, and held no land until I gave him a croft in 1878.—I am, Sir, your obedient Servant,

Secretary, Royal Commission.

ALEX. ALLAN.

5. ANGUS M'INNES to SECRETARY, Royal Commission (Highlands and Islands).

TOBERMORY, 8th December 1883.

SIR,—I have to acknowledge the receipt of your letter of the 28th ultimo, enclosing copy of a letter received by you from Mr Allan of Aros.

My belief, as intimated in my letter to you of the 17th ultimo, that the proceedings of removal from my croft land at Mr Allan's instance, as proprietor of that part of Tobermory formerly belonging to the British Fishery Society, is confirmed, as Mr Allan not only does not deny this, but, in his evasive answer, attempts to palliate, if not to defend, his arbitrary exercise of his functions of landlord. It is also singular that none of Mr Allan's crofters have received summonses of removing with the unexpected timeous previous warning of six

* A copy of this letter was sent to Angus M'Innes on 28th November 1883

XCVI.

Alleged
Eviction of
Crofters in
Mull.

months, excepting Donald Colquhoun, labourer, another crofter and delegate from the crofters, and your humble servant.

I did not state to the Commissioners, as averred by Mr Allan, that there was no work to be obtained in the town—as he is so ambitious to characterise the village of Tobermory; I stated, in answer to the Commissioners, if there was any work? there was none at present. The Commissioners then asked if Mr Allan gave work. I replied, he gave work to four or five labourers from Tobermory. And, still adhering to the truth of that statement, I farther aver that none of these four or five labourers are either settlers or crofters or feuars in Tobermory, but merely room-renters there.

Mr Allan states 'that £59,000 have been expended in Tobermory or the 'immediate vicinity, mostly in the erection of houses and other buildings, and 'that the fact that such a large sum should have been spent in a town (or 'village rather) of 1200 inhabitants will enable the Commissioners easily to 'judge as to the truthfulness of M'Innes' statement.' Mr Allan does not say by whom this large sum of money was expended but; assuming, as I presume he meant, that it was expended by himself, I am well aware of the principal objects on which this expenditure was made or lavished,—about £11,000 or £12,000 on additions to, and improvements on, his mansion-house at Drumfin or Aros; so much on cleaning and shipping, growing wood, and extensively planting the ground with young trees, principally evergreens, replacing these after failure from drought or otherwise, draining lakes of native trout, and ineffectual attempts to introduce strange trout into the lakes and tributaries, and connecting the waters of the upper lakes with that at the house, and in enclosing and subdividing and fencing the Tobermory hill or common so far as not done by his predecessors, until it is overgrown with heath and heather and only fit for game or rabbits; Mr Allan adding that part of the hill or common on which the settlers at Tobermory grazed their sixty horses to his already extensive enough farm of Lettermore, and finishing the fence thereof, commenced by his predecessor Captain Campbell, in erecting a rabbit warren on the hill pasture ground. A steading and square of offices on his farm of Kintalen, in the year 1880, about seven miles from Tobermory, paying £160 rent,—originally only £70. A steading and offices at Lettermore in 1876, about six miles over the moor, and about twelve miles by the road from Tobermory, paying £300 rent,—originally only £90. A hall at Tobermory in 1881, on the site of, and after knocking down a substantial neat dwelling built by the Society for the Comptroller of Customs at Tobermory. Four semi-detached cottages of two rooms and closet on the ground of the plan of the village, but without respect to that plan, worth about £100 each. Five self-contained houses on the sites formerly occupied by the building lots and houses of the settlers. These cottages are let at £10 each, and one was sold the other day for £130, with a feu-duty to Mr Allan of 15s. yearly, instead of £3 yearly, or 2s. per foot as first intended, and formerly only 2s. 6d. in all. Two or three cottages at Ledag of Tobermory on the settlers' old building lots, replacing the houses thereon about four years ago. A cottage on the outskirts for the Misses Campbell, in room of the Comptroller of Customs House, which stood formerly on the site of the present hall. These are the objects on which Mr Allan expended, and I cannot see what interest crofters had in such expenditure, as nothing was expended by Mr Allan in bettering their condition, or improving or refencing their crofts.

For the last nine years the only buildings on Mr Allan's portion of Tobermory not erected by him have been the school and schoolmaster's house five

years ago, at a cost of from £3000 to £4000; the Free Church, at like cost, about the same time; the cottage built on the outskirts by Mr Henderson, the contractor of these buildings, feued at the rate of £8 per annum, doubling this sum for one year at the end of every fifteen or eighteen years, and sold by Henderson to Mr Angus Cameron, of Sproat & Cameron, writers and bankers in Tobermory, who has feued the whole of the old Miller's croft along with it; the distillery buildings and machinery by Dr Campbell, at a cost of from £10,000 to £12,000, besides an unsuccessful law plea, at Mr Allan's instance, against him as to the position of two or three stones at the end of his weir for directing the water into the works, on the plea that these stones annoyed the bed of a troutless—though perhaps an eel-inhabited—river; while if Dr Campbell increased Mr Allan's feu-duty from £5 to £20 he would be allowed to disturb Mr Allan's trust interest in the bed of the river, and get as much water as he liked, but probably accompanied with as many legal questions that the doctor preferred to contend for his existing rights.

XCVI.
—
Alleged
Eviction of
Crofters in
Mull.

On Mr Caldwell's portion of Tobermory the Columba shops and houses, at a cost of about £800, was built on the site of the former Free Church, the members and adherents of which are not obliged to Mr Allan—with the assistance of their present pastor—for transferring that church from its old and interesting site, willingly accorded in 1843 by the proprietor, Mr Caldwell, an Englishman, and complimented for his liberality by the late Dr Chalmers when proprietors in Scotland refused sites for churches or manse for the Free Protestant Church of Scotland, the feu being £6 and now £5. Mr Archibald Macdonald's feu of croft land, to the extent of 4 acres, at £8 per acre, doubling the same for one year at the entry of heirs and singular successors, on which he has built 'Hianish' Villa, at a cost of £800, and the 'Western Isles Hotel,' built by Mr Caldwell, at a cost of about £6000 or £7000, last year, in an *eyry* situation.

There is a house at present in course of erection by Mr Angus Cameron, Mr Allan's agent and factor, in the site of a feu and two-storeyed house on the main street of the village, which was knocked down; and there is another commenced by Henderson, the contractor, on the outskirts of the village, on the croft land. I know not what farther buildings may be in contemplation for next year, but these contractors have their own men for their work, and there are various masons residing in Tobermory, and strangers as well.

It is unnecessary for me to draw the attention of the Commission to Mr Allan's unjust and hard-hearted excuse for attempting to deprive me of my croft's land. The tenant he refers to, a merchant in Tobermory, has occupied from Mr Allan's predecessor, and latterly from himself, a piece of land as a croft of about an acre and a-half, taken off what was since 1791, or the institution of the settlement by the Society, used by the inhabitants as a washing-green; and Dr Campbell having sold his interest in the present distillery premises, I have referred to his tenants, Messrs Mackill Brothers; by the latter's agreement with Mr Allan it would appear they acquired this piece of land for building, or some other purpose connected with the old grinding meal-mill dam of Tobermory immediately below it, which supplied water-power to the Tobermory mill, to which dam, if not to the remaining piece of bleaching ground, Messrs Mackill have acquired right from Mr Allan to form a dam to receive the water of the Tobermory river at this elevation as a reserve for the requirements of their distillery at Ledag of the lower village during drought or frosty weather. Mr Allan says that 'the house extension of Tobermory necessitated his taking a croft from a tenant who occupied it for many years,

XCVI.
 ———
 Alleged
 Eviction of
 Crofters in
 Mull.

'feeling desirous of providing him with another croft, I gave him the one from which which MacInnes has been removed;' and says farther, 'I do not look upon MacInnes as a crofter—he is a mason in comfortable circumstances, and held no land till I gave him a croft in 1878.'

The house extension of Tobermory, as Mr Allan is pleased to herald his excuse, is not therefore the cause of my attempted removal from my croft, neither is it that I am a mason. A mason, I presume, can as legitimately and beneficially to himself and the nation, and perhaps more so, hold a portion of land or croft in connection with his building lot in a village like this, as a mere chant, a contractor, or a lawyer or writer can do, without any detriment to his trade or calling of mason, though Mr Allan would like to recognise him as a mere working machine. My father, John Macinnes, catechist in Tobermory was allotted a building lot or portion of land in the village on 15th May 1824, with a croft of arable land, and grazing for one cow on the muir or common and a house, in which I succeeded him on his death. I was, however, in 1847 removed from the croft land along with seventeen other crofters, and a farm formed of our crofts for Mrs Petrie of the Mull Hotel, and I was left with a mere garden till 1878, when I took the croft from Mr Allan. This croft's farm at Scribruadh here is and has been rented by the said Mr Henderson, contractor, for several years back, with a steading thereon built by Mr Allan's predecessor, Captain Campbell. My circumstances depend on precarious employment as mason in my old age, now bordering on 70 years, after getting my family provided for—not, thank Providence, in the poors' house.

I got the right to my building-ground house of two rooms and attics, with byre and loft behind, confirmed in the law plea before the Court of Session and the House of Lords with Captain Campbell, our former proprietor; but my residence will not at all be so comfortable if I am to be deprived of my croft land, while my intended successor might easily be accommodated otherwise, as the Commissioners cannot fail to observe, if Mr Allan felt so disposed.

Mr Allan, in his evidence before the Commissioners here, stated that he had broken up a farm, and let it into crofts to crofters. This might appear true in a certain sense, but it was not the whole truth. Captain Campbell, his predecessor, removed fourteen crofters from their crofts in Upper Baliscate, and let the ground to a Mr Charles Macquarrie, who was married to a cousin of Captain Campbell's, and this farm was let to a Lachlan Campbell, afterwards by Captain Campbell, along with a portion of the muir lawn or common of Tobermory and Baliscate, called Blarnafalla. When Mr Allan became proprietor he took a renunciation of the lease from Lachlan Campbell, having paid him compensation for the loss of Blarnafalla, which the settlers never allowed him to possess or enjoy,—and let six of these crofts along with the dwelling-house and offices at Baliscate to his agent and factor, Mr Cameron; and, on Mr Cameron's removal to his new house feu and holding at the Court house, his possession at Baliscate was let to Mr Allan Cameron, inspector of rural police here, who still rents these,—three of them, with the above portion of the hill called Blarnafalla, to a Mr James Maclaine, spirit-dealer here, who still possesses them. One of them to Mr Archibald Mackinnon, merchant in Tobermory, now possessed by Mr John Maccallum, writer, Tobermory, two of them to James Maccoll, merchant and postmaster here, and two of them to John Mackinnon, weaver here, both of whom are still in possession. This is the farm Mr Allan said he had broken up for crofts, and this is how he disposed of it as crofts.

Mr Allan, as chief commissioner of his self-elected police burgh of Tober-

mory, has got us poor householders burdened with the repayment in thirty years of an expenditure of (instead of £3000 odds as first contemplated), from £6000 to £7000, as the cost of water-works and drainage scheme, on a very precarious assessable rental of from £3000 to £4000, besides that about £100 or £150 has to be expended on lighting and sanitary purposes and officials' salaries, not mentioning our private roads and streets, which are in a very dirty and dilapidated state. Mr Allan, it is submitted, assumed an office here for which he did not hold the indispensable qualifications of householder in the sense of and as required by the Act; and the legality of his and his co-commissioners' actings in entering into an important water and drainage scheme, without consulting the ratepayers, was not only a presumptuous and unwarranted undertaking on their part, but rendering them liable to be called in question for their actings. £600 by Mr Allan, and £300 by Mr Caldwell, the other proprietor, was contributed towards this expense as an inducement to proceed with it. As a householder and proprietor within this burgh, my house is now assessed annually for poor rates 1s. 6d., school 9d., registration 1s., burgh 2s. 6d., roads 1s., county rates 4d. in the pound as proprietor and tenant—in all, 6s. 2d. per pound—rather confiscatory?

Any further information I will be glad to communicate.—Meantime, I have the honour to be your most obedient and faithful Servant,

ANGUS M'INNES,
Mason and Crofter.

The SECRETARY,
Crofters' Royal Commission,
Register House, Edinburgh.

B.—Case of Donald Colquhoun.

1. DONALD COLQUHOUN to LORD NAPIER AND ETRICK, K.T.

TOBERMORY, 19th November 1883.

YOUR LORDSHIP,—I beg to state that I was appointed at a public meeting of the crofters here to give evidence before the Commission, though I was not called upon by the Commissioners to give evidence; and that I have, on the 13th day of November current, been served in consequence with a summons of removing against the term of Whitsunday next from my croft land at the instance of my landlord, Alexander Allan, Esquire of Aros, of which I beg to enclose copy.

There was no promise required from Mr Allan that the delegates would not suffer at his hands for giving evidence as to the usage of the settlers or crofters by the successors, several landlords of Tobermory.—I have the honour to be, your Lordship's most obedient and faithful Servant,

Lord Napier, Chairman of the
Crofters' Royal Commission.

his
DONALD × COLQUHOUN.
mark

XCVI.
—
Alleged
Eviction of
Crofters in
Mull.

XCVL

Alleged
Eviction of
Crofters in
Mull.

2. SECRETARY, Royal Commission (Highlands and Islands), to
ALEXANDER ALLAN, Esq. of Aros.

ROYAL COMMISSION (Highlands and Islands),
NEW REGISTER HOUSE, EDINBURGH,
22nd November 1883.

SIR,—I am directed to forward to you the enclosed copy of a letter which has been received from Donald Colquhoun, by the Chairman of this Commission, and to request that you will favour me with any observations thereon which you may be disposed to make.—I am, Sir, &c.

MALCOLM M'NEILL, secretary.

Alexander Allan, Esq. of Aros.

3. ALEXANDER ALLAN, Esq., of Aros,* to SECRETARY, Royal Commission
(Highlands and Islands).

AROS HOUSE, ARGYLLSHIRE, 26th November 1883.

SIR,—I have to acknowledge receipt of your letter of 22nd inst., enclosing letter from Donald Colquhoun, Tobermory, to the Chairman of the Royal Commission. The fact that Colquhoun was appointed a delegate to appear before the Commission had nothing whatever to do with his recent notice to remove from his croft.

Colquhoun held no land in this district until 1875, when I rented to him a small portion of Balliscate farm, which I was then subdividing into crofts. His rent has since the day of entry being perpetually in arrear, and he has in many other ways proved himself a most unsatisfactory tenant. On this account he was last year served with notice to quit, and it was only at the urgent request of his wife that I permitted him to remain. At the last term of Whitsunday he paid no rent, and is now over a year in arrear; this accounts for his recent notice of removal.

Colquhoun is an able-bodied man, who could get constant employment if he chooses; he also draws rent from house property in Tobermory; and it is therefore entirely his own fault that his rent is always in arrear.—I am Sir, your obedient Servant,

ALEXANDER ALLAN.

Secretary, Royal Commission.

4. DONALD COLQUHOUN to SECRETARY, Royal Commission (Highlands
and Islands).

TOBERMORY, 26th December 1883.

SIR,—I have been duly favoured with your letter of the 23th ulto., enclosing copy of a letter from Mr Allan of Aros to you, and delayed replying thereto, or to Mr Allan's pretended reasons for attempting to remove me from my croft land here at Whitsunday first, till the 14th inst. was over,—Mr Allan's rent collection day,—when I paid the £6 year's rent due at Martinmas last, with a small arrear of 17s. which always lay over in consequence of some dispute about grazings on

* Copy sent 23th November 1883 to Donald Colquhoun.

the common, Mr Allan charging me for the summer's grazing of three cows instead of that of one cow. All my rents are therefore paid up in full since Whitsunday 1875. To instruct this I will be glad to enclose my pass-book if required.

XCVI.

Alleged
Eviction of
Crofters in
Mull.

My father-in-law, the deceased Hector Campbell, feuar and crofter in the upper village of Tobermory, was owner of a building lot, and rented a portion of arable land as croft and summer's grazing of a cow on the hill or common of Tobermory, with right to cut peat on the mosses under the British Fishery Society when proprietors until they sold the estate to David Nairne, Esquire of Drimkelbo in 1843, when the latter increased the croft rents to triple the amount charged by the Society, and removed my father-in-law from the croft, and on his death, his eldest son having emigrated to New Zealand and settled there, I took charge at his son's request of his widow, and took up house with his and my family on the lot of building ground as proprietor, and am entered in the Valuation Roll, fol. 261, No. 8533, as proprietor of the subjects, and have rented a croft from Mr Allan, about two to three acres, for which I pay £6 per annum, as per Valuation Roll of the county this year, No. 8317, fol. 256, being an exorbitant rent for light mossy Highland soil, not worth more than from 5s. to 7s. per acre, the former being the rate paid to the Society for the land. Neither Mr Allan nor any of the Society's successors in these lands showed any respect or preference for the feuars and settlers of the Society in Tobermory in letting these crofts, but let them to 'Tom, Dick, and Harry,' or room renters most in favour with the proprietor.

It is not the fact that Mr Allan let me a small portion of Baliscate, 'which he was then subdividing into crofts.' The croft, of which I got a little more than the half in 1875, was always one of the Society's crofts, and never formed part of a farm for subdivision, and let as a whole by the Society at £1, 1s. sterling yearly rent, while I pay £6 annually for my two to three acres of it; and Allan Cameron, Thel, rents the other portion, not exceeding two acres, at £3 yearly rent; making in all £9 yearly rent received by Mr Allan for a croft that was formerly paying only 21s. yearly, and which was mere moss ground, dyked, drained, and improved by the Society's tenant therein, for which he received no compensation whatever.

Mr Allan is quite right in saying that I employ myself as a labourer, but I cannot see how this testimony to my incessant industry should justify him in depriving me of my croft. The rent of my dwelling-house is entered properly in the Valuation Roll, fol. 261 No. 8533, at £7 yearly. My own occupancy thereof at £3 yearly, and the rest by two tenants paying under £4, or £4 as entered yearly in all, on which I pay 6s. 6d. per pound yearly of poor, school, registration, roads, county, and burgh rates,—the latter being an expensive harness that Mr Allan, as chief, and his co-commissioners of police, have forced us to wear, but which is far too heavy for the horse.

Mr Allan has attempted to make the Commissioners believe, in giving his evidence before them here, and in his letters lamely excusing his harsh attempts at my removal, and that of Angus Macinnes, two of the crofters' delegates,—that he broke up a farm for crofts; but, as Macinnes has already shown the Commissioners, this is not the whole truth, as the farm he refers to, if entitled to that important denomination, was composed of fourteen crofts in Upper Baliscate, which the settlers, under the Society, possessed, and which should be restored to them,—six of which crofts are held by one party. This refers to Upper Baliscate, not to Lower Baliscate where my croft is situated.

I shall be glad to give you any farther information which you may require on

XCVI.
Alleged
Eviction of
Crofters in
Mull.

the true light of matters, not in that which Mr Allan would reflect on his actings with the Tobermory feuars, settlers, and crofters with reference to their feus, crofts, and hill or common grazings, and mosses for peat, but real 'facts' that *winna ding*.' I might take upon myself to recommend to him to re-clothe the Society's settlers with their former privileges in croft, hill grazings, and mosses, and not let them, as he and his predecessors in these lands have been in the habit of bestowing them, upon needy customers at rents three or four times their value.—I have the honour to be, Sir, your most obedient and faithful Servant,

his
DONALD × COLQUHOUN.
mark

Secretary, Royal Commission (Highlands and Islands),
Register House, Edinburgh.

5. DONALD COLQUHOUN to SECRETARY, Royal Commission
(Highlands and Islands).

TOBERMORY, 28th Jan. 1884.

SIR,—With reference to Mr Allan of Aros, and my correspondence with you as a delegate appointed to give evidence before the Commission when sitting here, and consequently underneath a summons of removing from my croft land here at Whitsunday next, I beg now to enclose for your information my rent pass-book with Mr Allan, showing the payments of my rent and quit rigg, from Whitsunday 1875 to the last term of Martinmas 1883.—I have the honour to be, Sir, your most obedient, humble, and faithful servant,

his
DONALD × COLQUHOUN,
mark

Labourer and Crofter and Feuair at Tobermory.

Secretary, Royal Commission (Highlands
and Islands), Edinburgh.

6. SECRETARY, Royal Commission (Highlands and Islands)
to DONALD COLQUHOUN.

ROYAL COMMISSION (Highlands and Islands)
NEW REGISTER HOUSE, EDINBURGH,
31st January 1884.

DONALD COLQUHOUN,—I beg to acknowledge the receipt of your letter of 28th instant, which has been laid before H.M. Commissioners.

Your rent pass-book is returned herewith.—I am your obedient servant,

ROBERT HOLDEN,
for Secretary.

XCVII.

EXTRACT from a Letter of Rev. J. G. MACNEILL.

XCVII.

FREE CHURCH MANSE, PORTNAHAVEN,
ISLAY, November 30, 1883.Rev. J. G.
MacNeill.

Will you kindly allow me to make a few remarks with reference to Mrs Baker's letter which I read before your Commission in Glasgow on the 20th ult. *It seems to be inferred from your Lordship's remarks with respect to this letter, that they imply a censure on me for having read it.* Now I beg to say that I am not one of this lady's correspondents. I never wrote her except on two occasions—first a few years ago, in reply to an intimation of her husband's death; and again *this public letter, asking a promise that no action would be taken against the delegates from her estate for any evidence they might give before Her Majesty's Royal Commissioners.* Ever since my settlement here in 1875 I studiously avoided ever interfering with this lady's estate affairs. Some of her tenants often wished me to lay their grievances before her, but I never did it. I never attended the meetings held by the crofters and fishermen when arranging to appear before you until they had unanimously elected me as one of their delegates, and appointed a deputation to wait upon me to ask me to help them, else their efforts to make known their complaints would collapse. I sympathised with the people, and promised, as now our gracious Sovereign the Queen encouraged them to state their case, I would co-operate with them in endeavouring to bring it in an intelligible form before the Commission. One of the conditions on which I agreed to help them was, that at all our meetings for eliciting the needed information, grievances were to be stated and discussed, entirely apart from personal attacks on proprietors, factors, and ground-officers. At all the meetings at which I presided this understanding was absolutely adhered to. My co-delegates thought it advisable that in their behalf I should write the superiors to ask an assurance that no action would be taken against them for giving evidence. I then wrote a public business letter to Mr Morrison's factor, and a letter in similar terms to Mrs Baker. The former courteously sent me a business-like reply, granting the assurance craved for, and along with it a note personally addressed to myself; but the latter sent me the letter which has now become historical. Whether the replies to my letter had been favourable or unfavourable, I was under a promise to make their contents publicly known to my co-delegates.

JOHN GEORGE MACNEILL.

XCVIII.

XCVIII.

REPLY of LORD NAPIER and ETRICK, K.T., to Statement of
GENERAL BURROUGHS.Reply of Lord
Napier and
Etrick to Gen.
Burroughs.*(See Appendix A, LVI., p. 248.)*THIRLESTANE CASTLE, SELKIRK,
8th September 1883.

SIR,—I have the honour to acknowledge the receipt of your letter of the 22nd August, transmitted to me by Mr M'Neill, enclosing copy of a threatening letter which has been addressed to you by some party as yet unknown in the Island of Rousay.

The threatening letter in question will be submitted to the attention of the Commissioners at their next meeting, in connection with your request that it should be printed along with the evidence concerning Rousay. I need not assure you that I greatly lament that such a communication should have been transmitted to you, and that you should have been the recipient of other anonymous letters indicating the existence of a spirit of lawlessness or resentment in the island.

I am, however, bound to add, in reference to a suggestion made by you, that the existence of such letters, however much we may regret and condemn the fact, does not, to my mind, necessarily prove that the "witnesses" who appeared before Her Majesty's Commissioners or "their friends" are, as a body, endeavouring to establish a reign of lawlessness and terror in Rousay such as recently existed in Ireland.

I earnestly hope that the efforts being made by the Procurator-Fiscal to identify the author of the threatening letter may be successful.

I have, &c.,

NAPIER and ETRICK.

General Burroughs, &c.

XCIX.

GRAZING and AGRESTIC CUSTOMS of the Outer Hebrides, by
ALEXANDER CARMICHAEL.XCIX.
Alexander
Carmichael,]

GEOGRAPHICAL.

The Long Island comprehends a series of islands 116 miles in length. The breadth varies from one mile to twenty-six miles.

In shape the Long Island resembles an artificial kite—Lews being the body, and the disarticulated tail trending southward and terminating in Bearnarey of Barra.

A range of glaciated hills, rising from the centre of Lews, and at intervals cut into by the Minch, runs along the east side of the islands. Along the west side, washed by the Atlantic, is an irregular plain of sandy soil, locally called Machair.

These islands are called the Outer Hebrides, being the most westerly islands of Scotland, except those of Saint Kilda. They form a breakwater against the Atlantic, from Cape Wrath on the north to Ardnamurchan on the south.

The Outer Hebrides were of old called Innse Gall, the Isles of the Gall, the Isles of the Strangers, from the Norse Occupation.

The ancient name of the Long Island, and still traced among the people, was Innis Cat, the Island of the Cat, or Catey. Who the Catey were is uncertain, though probably they were the same people who gave the name of Cat Taobh, Cat Side, to Sutherland, and Cat Nis, Cat Ness, to Caithness. May not the modern Clan Chatan be of these people? They are called the descendants of the Cat or Catey, and have a cat for their crest.

The present inhabitants of the Long Island are essentially Celtic, with some infusion of Norse blood. They are a splendid race of people, probably unexcelled, mentally and physically, in the British Isles.

The populations of the different islands form an aggregate of over 40,000 souls. Of these, forty families occupy about two-thirds of the whole land of the islands, the numerous crofters occupying the other third. These crofters retain pastoral and agrestic modes of life, now obsolete elsewhere. To describe these modes of life is the object of this paper.

All the crofters throughout the Outer Hebrides occupy and work their lands on the Run-Rig System, more or less modified. They work under this system in three different modes, two of these being stages of decay. An example from each of these three modes will be given from each of three parishes where they are in operation. This the writer thinks is preferable to any general description which he could devise. These parishes are Barra, South Uist, and North Uist, which form the Southern Division of the Outer Hebrides.

Run-Rig.

The term Run-Rig seems a modification of the Gaelic, Roinn Ruith—'division run.' In this case the word 'run' is used in the sense of common. In Gaelic the System of Run-Rig is usually spoken of as Mor Earann—'great division,' or Mor Fhearann, 'great land.' Occasionally, however, an old person calls the system Roinn Ruith. This seems the correct designation and the origin of the English term Run-Rig.

XCIX.

Alexander
Carmichael.

The system of Run-Rig prevailed of old over the whole British Isles and the Continent of Europe. It was common in Ireland, it is extinct in England, and obsolete in Scotland, except to a limited extent in the Western Isles. There the system still lives in three different forms, more or less modified—two of these being gradations of decay.

Township.

The English word Township represents the Gaelic word *Baile*, as applied to a rural locality and to a country community. I, however, prefer the word townland to township, having already used it in the paper which Mr Skene asked me to write for his *Celtic Scotland*, and which your Lordship was pleased to commend.

The word *Baile*, townland, often appears in *Origines Parochiales*. This invaluable work is a compilation, by Cosmo Innes, from ancient charters and other historical documents affecting the Highlands.

The word *Baile* occurs also in Martin's *Western Isles*, published in 1703. Dr Johnson says that it was this book that gave him a desire to see the Highlands of Scotland, and, therefore, to this book the world is indebted for Johnson's famous *Tour to the Hebrides*. A copy of *Martin*, which Johnson and Boswell had with them in the Highlands and Islands, the writer has seen in the Signet Library, Edinburgh.

I think the word Townland is recognised by law. I have certainly seen it used in law documents. The townland has a collective existence in various ways,—by tradition, by usage, by the condition of the people, by the consensus of public opinion, and by the treatment of the proprietor. I shall endeavour to show this, and in doing so shall confine my observations to the Long Island.

Maor.

The word *Maor* is old, and is used in several languages. Before and after the tenth century it carried a territorial title equal to Baron among the Highlanders and to the Jarl of the Norwegians.

The name was then applied to the governor of a province, whose office was hereditary, like that of the king. The term *Maor* is now applied to a petty officer only.

Maor-Gruinnid is a ground officer. He is appointed by the Factor—Gaelic, *Baillidh*—and acts under him. On large properties the *Maor* is practically a sub-factor, and, being the eye, the ear, and the tongue of the Factor in his district, he is often more feared than the factor himself. Where the Factor is a non-Gaelic speaking man, as has been the case on the Gordon properties, the people look on the *Maor* with suspicion. 'The tongue of the people being then 'in another man's mouth,' as one of themselves graphically said to me, they know not what the *Maor* says or leaves unsaid concerning them. Nevertheless, there are and have been ground-officers who were far from giving cause for such suspicion, who, on the contrary, devoted their time and energies to the interests of proprietor and people to the neglect of their own. Among these have been some of the kindest men I have ever known.

The Constable.

There is a Constable (Gaelic, *Constabal*) in every town, and in some two—one representing the proprietor, the other the people. Occasionally the Factor and the crofters elect the Constable conjointly. More often, however, the Factor alone appoints the Constable. When this is the case, the crofters murmur that the man thus appointed and paid by the Factor alone is, uncon-

sciously to himself probably, too subservient to the Factor and too remiss in their concerns. For this reason they elect a man to look after their own special affairs.

XCIX.
Alexander
Carmichael.

When a Constable is to be elected for the townland, the people meet, and this and all kindred meetings are called Nabac, 'neighbourliness.' If presided over by the Maor the meeting is called Mod, Moot.

If the people meet during the day they probably meet at a place locally known as Cnoc Na Comhairle—'The Council Hill,' or at Clach Na Comhairle—'The Council Stone.' If they meet at night they meet in some central house on the farm. Almost invariably these meetings are held at night, so as to avoid losing time during the day. The meetings are orderly and interesting.

Not infrequently the man proposed for the Constableness by his fellow-crofters of the townland declines the office. Then another is proposed, and perhaps with like result. Ultimately the people may have to cast lots all round before they get a man among themselves to accept the office, the duties of which are distasteful to them.

In some townlands the Constable is elected or re-elected yearly, in some for a term of years, and in others for life.

The crofter having been appointed Constable, takes off his shoes and stockings. Uncovering his head, he bows reverently low, and promises, in presence of heaven and earth, in presence of God and of men,—Am fianuis uir agus adhair, am fianuis De agus daoine,—that he will be faithful to his trust. In some places the elected Constable takes up a handful of earth instead of uncovering his feet. The object is the same—to emphasise, by bodily contact with the earth, that he is conscious of being made of earth, to which he returns.

These and similar simple and impressive customs are disappearing, to the regret of the old people and the antiquary.

The services of the Constable appointed by the Factor are paid in money; those of the Constable appointed by the crofters in kind—Fiar am beinn, agus peighinn air machair—grazing on hill and tillage on machair.

The duties of the Constable are varied and troublesome—requiring much firmness and judgment. The Constable, however, can always rely upon the assistance of one or all of his fellow-crofters as occasion requires.

The peat banks (Gaelic, Staill, Poill of the townland) having become exhausted, the Factor or his Maor marks out a new peat moss.

The Constable divides this into the necessary number of stances or hags, according to the number of tenants in the townland. For these stances the crofters cast lots, as they do for their rigs of land. Lest a man should be placed at any advantage or disadvantage from his neighbours, these stances are again subjected to the lot (Gaelic, Crann), in the course of three, five, seven, or nine years, as the people consider advisable.

A peat road (Gaelic, Utraid Moine) has to be made to this new peat moss. Probably the road requires to be made over one, two, or three miles of rock, bog, and moorland. It is the duty of the Constable to see that every crofter in the townland gives the necessary number of days of free labour, with his horses and carts, spades and pickaxes, to construct this new road.

The Constable must see that all the roads of the townland are kept in repair by the mutual co-operation of the crofters; that no unnecessary traffic is carried over these roads during or immediately after wet weather; and that the side and cross drains of the roads run free.

To insure equal distribution of labour, these bye-roads are divided into Peghinnean, 'Pennis.' The good and bad, the soft and hard, the steep and

XCIX.
Alexander
Carmichael.

level parts of the road are thus divided and allotted. Each crofter must keep his own portion in repair. Should he neglect, he is taken to account by his neighbours, and his portion of road repaired at his expense.

The Constable engages the Herdsman and Shepherd of the townland, apporions them ground for potatoes and bere, collects and pays their wages. These wages are self-levied on the crofters according to their rent, as they have a whole croft, a half croft, or a quarter croft.

Every townland has a cattle fold on the machair, and another on the gearry—Gaelic, Gearruidh. In wet weather the Constable instructs the Herdsman to keep the cows to the machair, where the fold, from the nature of the soil, is less wet and comfortless to the cows and the women who milk them, than the fold on the gearry.

The Constable must see that the dyke enclosing the cattle-fold is repaired in early summer before being used, and that the gate is good and strong—*Cadha-Chliadh na Cuithe*. The term *Cadha-Cliath*, literally signifies the gorge or pass wattle.

In wooded districts throughout the Highlands, where materials can be found, doors, gates, partitions, fences, barns, and even dwelling houses, are made of wattle-work.

In the case of dwelling houses and their partitions, the wattling is plastered over on both sides with boulder clay, and whitewashed with lime, thereby giving an air of cleanliness and comfort to the house.

Of old this wattle-work was largely used by the Celts. It is believed that many of their early houses and churches were made of wattling, and Mr Skene thinks that Saint Columba's first church in Iona was so constructed.

One of the Gaelic name of Dublin—Gaelic, *Dubhlinne*, 'blacklinn'—is *Bail-ath-cliaith*, 'the town of the ford of wattles,' the first bridge over the River Liffey having been constructed of wattle-work.

Probably the interlacing so much used and so much admired in ancient Celtic art and sculpturing had its origin in this wattle-work, occasionally called Celtic basket-work.

In carting sea-weed up the shore, which is extremely trying upon horses, the Constable sees that no man works his horse too heavily nor too long.

When he orders the people to stop work they must stop. In some places there was a latent superstition among the people that the spirits of their horses were in communication with the spirits of heaven. Probably this gave rise to their saying—

'Am fear bhithias trocaireach ri anam
Cha bhith e mi-throcaireach ri bhruid.'

'He who is merciful to his soul
Will not be unmerciful to his beast.'

The Constable must see to *Cuartachadh a Bhaile*, 'rounding the townland.'

There being no fences round the fields, there is danger that cattle or horses of their own or neighbouring farms may break loose during night and damage the corn.

To guard against this, two of the crofters make a circuit of the townland at night, each two and two of the crofters taking this watching in turns during summer and autumn. This precaution is called *Cuartachadh*, 'circuiting.' Should the watchers be remiss and damage to result, the two crofters responsible must make good the loss. The damage to the corn being appraised, the two crofters in fault pay it to the Constable, who adds it to the general fund of the townland. Should cattle or horses from a neighbouring farm cause loss, the

owners have to pay the loss. The people are exacting in recovering these valuations. 'Is e an cunntas goirid a dh-fhagas an cairdeas fada,' they say. It is the short accounting that shall leave the friendship lasting, and they act accordingly.

Those, however, who are thus exacting in pecuniary matters are, nevertheless, kind and considerate to one another in other things. Should a crofter or his family be laid up ill, his fellow-crofters help on his work. If a man's horse dies, his neighbours bring on his work concurrently with their own, and, if necessary, help him to buy another horse.

In connection with their watching, the people speak of a time when they had to kindle fires to scare away wild beasts from their flocks, as they do now in some localities to scare away deer and geese from their crops. These fires look picturesque at night, and remind one of Campbell's beautiful poem of the 'Soldier's Dream'—'By the wolf-scaring faggot that guarded the slain.'

There is a tradition in Lews of the last wolf slain there, and the place is pointed out. Traditions of this nature are elsewhere.

I asked the crofters who said that they were in the habit of sitting up at night to watch their corn from deer, if they mentioned this hardship to their Factor. 'Yes,' said they, 'but he told us that if we complained to him again he would clear us all out of the place, so as to be out of the way of the deer. Therefore, we keep quiet, but suffer.'

The Constable buys fresh stock, for the infusion of new blood for his townland, and sells the old. He will not allow a crofter to cart sea-weed from the shore till his neighbours have reasonable time to be there, nor will he allow a crofter to cut sea-weed when and where he likes. He must see that the Run-Rig land, Imire, of one man is not allowed to lie under water to the injury of the man to whose lot it may fall at next allotting. The man must cut a drain to allow the surface water to escape.

Should the crofters of the townland have occasion to complain of a fellow crofter to the Factor, a deputation from the crofters go to the Factor to prefer the complaint. The deputation is represented by the Constable alone or in company. The Factor confers with the Constable, giving instructions, and possibly removes the recalcitrant crofter from his holding, should he continue to offend against the customs of the community.

The Constable gives information to the people from the Factor as to days on which the Factor is to collect rents and rates, as to new rules which the Factor wishes enforced, or old ones which he wishes more strictly observed, and various other things.

These are some of the duties devolving on the Farm Constable for the orderly management of the Townland. In the past he had to assist the Maor in evicting crofters, sometimes in evicting and pulling down the houses of near and dear relatives.

There have been no large evictions in recent years in the Western Islands, nor will there probably be.

Proprietors now visit their properties, taking a kindly interest in their people, and Factors are more considerate. One of these, indeed, is a man endowed with more excellency of head and heart, without faults, than ordinarily falls to the lot of man, a man possessing the implicit confidence of proprietors and tenants alike, who daily injures himself to benefit them. Mr John Macdonald, Tacksman, Newton, North Uist, and Factor for Sir John Orde, will not forgive my mentioning his name, but others will throughout the Highlands and Islands, where his name is honoured among all classes.

But things were not always so in the Western Isles. Where a factor, in

XCIX.
Alexander
Carmichael.

many ways capable and excellent, in those days wished to acquire more land for himself, relations, or friends he seems to have felt no more compunction in destroying the well-being of scores of comfortable crofters, than were they so many sheep. This was the common occurrence of the times.

Nor, incredible as it may seem, was it till years afterwards that some of those absentee proprietors came to know, and that accidentally, of these wholesale removals of scores of their peaceable, loyal, industrious tenants, and of this practical destruction of hundreds of their crofter population.

That these and many similar proceedings should have paralysed the whole crofter population of the Western Islands was only natural. Nor does it need a man to live and travel among the islands for a quarter of a century to see and to be convinced that the people of those Western Isles have not yet recovered from the effects of that paralysation.

BARRA.

The Islands of Barra form an oblong group. Of these islands, eight are inhabited. The Southern Isles of Barra were of old called the Bishop's Isles, because they belonged to the bishop of the see. The head of this wild precipitous chain of islands is still called Bearnaraidh an Easpaig, Bearnarey of the Bishop, occasionally Barra Head—Gaelic, Ceann Bharraidh.

The Southern Isles of Barra are famed for birds. These are principally the Puffin, Razorbill, and the Guillemote, Gaelic, Buigire, Dui'-'eineach, and Langaidh. The Manx Shearwater, Gaelic, Scrab, was extremely abundant there at one time; but since the advent of the Puffin, it is now practically extinct.

Both these last are burrowing birds. The Puffin is vicious to a degree, his wonderfully strong, sharp, coulterneb bill cutting keenly as a lance.

Of old the crofters of Miuley paid their rents in birds to Macneill of Barra. These birds were principally the young of the Shearwater, and called by the people Fachaich, 'fatlings.'

The land was divided into crofts called Clitig, Feoirlig, Leth-Pheighinn, and Peighinn. The Clitig is half the Feoirlig, the Feoirlig is half the Leth-Pheighinn, and Leth-Pheighinn is half the Peighinn, 'Penny.'

The Penny Croft paid two barrels, the Halfpenny Croft one barrel, the Farthing Croft one half barrel, and the Clitig Croft one fourth barrel of Fachaichto Macneill.

Probably not less than twenty barrels of these birds went to Macneill yearly, and all from the small island of Grianamal, behind Miuley!

The proprietor came over to Miuley a fortnight before, and remained till a fortnight after Lammas Day—Gaelic, La Lunastain. The people were not allowed to go to the rocks till he came; when he left, they had the free range of the cliffs.

The people of the Southern Isles do not now kill many birds, being too much occupied otherwise.

The people of Miuley do not seem to have used ropes as they do in Saint Kilda, but to have clambered among the rocks like goats. These rocks are wonderfully grand. Mr Campbell of Islay and the writer measured the highest of these in October 1871, when the barometer showed nearly 800 feet above the sea. The place is named Aonaig, and this particular rock is called Biolacreag. The face of the cliff is as smooth and perpendicular as the wall of a house, and goes sheer down into the Atlantic.

This precipice was the crest of the ancient Macneills of Barra, and 'Biolacreag' formed the rallying cry of the clan.

There is probably no more interesting island in Britain than this Island of Miuley, with its wonderful precipices, long narrow sea galleries, several hundred feet high in the perpendicular sides, and marine arcades, winding their gloomy subterraneous ways under the precipitous island. To boat through these galleries and arcades needs a calm sea, a good crew, and a steady nerve. The writer was the first to discover, and the first and the last to go through much the longest, largest, and gloomiest of these wonderful sinuous sea arcades.

The Macneills of Barra lived in a castle on a tidal rock called Ciosmal, in Baile Mhicneill, Macneilltown, now called Castlebay. There are two wells within the walls of this old castle. The people say that the water of these wells comes in pipes under the sea, the pipes being overlaid with large flags.

Some fifteen years ago the then Factor let the castle as a herring-curing station, when the principal well, in the centre of the court, was filled up, and the chapel in the west corner carried away piecemeal as ballast for boats and vessels. The native people, who still fondly cling to the memory of their once proud chiefs, were grieved at the destruction they were powerless to prevent.

The site of Ciosmal Castle had been the site of a magazine, wherein the Norsemen kept war materials during the Norse Occupation of the Western Isles.

Ciosmal was abandoned by the Macneills during the first quarter of last century. They built houses in these other places, finally settling at Eoligearry, on the north end of the island. The family became extinct in the direct male line in Lieut.-General Roderick Macneill. It is said that so symmetrical in person was General Macneill that 'no eye looked at him without looking at him again.' He was adored by his people, who, with the fidelity of their race, ruined themselves in trying to save him from ruin. They gave him their all.

To Dr Macgillivray, the people of Barra are much indebted, and this they gratefully acknowledge. Since he became tacksman of Eoligearry, some forty-four years ago, probably he has given in one form or another some £7000 in work to the people of Barra, while his skill and his medicine are ever at the disposal of all. The eminent naturalist of that name was brother to Dr Macgillivray.

A curious custom prevails among the people of Barra of apportioning their boats to their fishing banks at sea, much as they apportion their cows to their grazing grounds on land. The names, positions, extent, characteristics, and capabilities of these banks are as well known to them as those of their crofts.

The people meet at church on the 1st day of February—Gaelic, La-Fheill Bride—the Festival of Saint Bridget; and having ascertained among themselves the number of boats engaging in the long line fishing, they assign these boats in proportionate numbers among the banks according to the fishing capabilities of each bank. The men then draw lots, each head-man drawing the lot for his crew, and thus the boats are assigned to their respective banks for the season.

Should a bank prove unproductive, the boats of that bank are considerably allowed to distribute themselves among the other banks, the boats of which are then at liberty to try the deserted banks. The fishermen say that the ways and migrations of the fishes of the sea are as unaccountable as those of the fowls of the air—here to-day and there to-morrow. They say also that fishes resemble birds in their habits; some fishes, as the Cod and the Conger, in being solitary, like the Raven and the Skua; while some other fishes, as the Saithe and the Herring, are gregarious in their habits, and live in communities, like the Razorbill and the Guillemote. I am indebted to the intelligent and observant fishermen throughout

XCIX.

Alexander
Carmichael

XCIX.

Alexander
Carmichael.

those islands for much interesting and curious information regarding fishes and sea birds.

Having completed their balloting, the fishermen go in to church, accompanied by fathers and mothers, brothers and sisters, wives and children, and sweet-hearts. The good priest says a short service, wherein he commends those 'who go down to the sea in ships' to the protection of the holy Saint Barr, after whom Barra is named, of the beautiful Saint Bridget, 'virgin of a thousand charms'—'Bride bhoidheach oigh nam mile beus'—on whose festival they are met, of their loved Mother, the golden-haired Virgin, and to the protection, individually and collectively, of the Holy Trinity. The people disperse, chanting—

'Athair, A Mhic, A Spioraid Naoimh,
Biodh an Tri-aon leinn, a la 's a dh-oidhche ;
'S air chul nan tonn, no air thaobh nam beann,
Bith'dh ar Mathair leinn 's bith'dh A lamh mu'r ceann.
Bith'dh ar Mathair leinn 's bith'dh A lamh mu'r ceann.'

Father ! Son ! and Spirit's Might !
Be the Three-in-One with us day and night ;
On the crested wave, when waves run high,
Oh ! Mother ! Mary ! be to us nigh.
Oh ! Mother ! Mary ! be to us nigh.

Having dispersed, the people repair to their homes, on the way thither eagerly and simultaneously discussing the merits and the demerits of their respective banks. To hear their loud and simultaneous talk, one would think that the people were quarrelling. But no, this is only their way—the Barra people being peaceable and gentle, and eminently well-mannered and polite.

This habit of the Barra fishermen of apportioning their fishing banks may seem antiquated to modern views. The fishermen themselves advance good reasons for its retention, some of these being that it prevents overcrowding of boats on the banks, with the consequent entanglement of lines, resulting sometimes in the loss of temper and friendship.

In the *Inverness Courier* seventeen years ago, or so, the writer suggested converting the strait between Barra Head and Miuley into a harbour of refuge, by throwing a break-water across the west end. A harbour there would be of inestimable benefit to shipping and fishing.

Third Stage of Run-Rig.

The arable land of the crofters of Barra is all divided into crofts, no part being in common. The grazing grounds only are held in common, each townland being confined to its own grazing limits. The crofters of each townland have their own herdsman, and regulate their own townland affairs with no interference from without.

SOUTH UIST.

The Island of South Uist forms an oblong, with a range of high hills on one side, and long level low-lying moors and machairs dotted with shallow lakes on the other side. The people live on this side. In the time of the Clanranalds, the crofters had the hills for their sheep and cattle, and they say that they were very comfortable. Since then the greater and best part of the machair has been cleared of crofters, and their townlands converted into large farms, with the whole of the hills added thereto. Some of the evicted people were chased among the hills, caught, tied, and shipped like felons to Canada, against which the Canadian press of the day raised a strong protest.

XCIX.

Alexander
Carmichael.

The rest of the evicted crofters were thrust in here and there among the other crofters, who were made to share their rocks and morasses with them. And there they are—'Na biasta mora g-itheadh nam biasta beaga, agus na 'biasta beaga deanamh mar a dh fhaodas iad'—The big beasts eating up the little beasts, and the little beasts struggling as best they can—'the survival of 'the fittest.'

One acquainted with these islands is struck with the coincidence, possibly accidental, that the large farms are made from the best crofter townlands, while the crofters are huddled together, generally among rocks and bogs. No crofters have been removed for the present highly respectable and intelligent tacksmen of the Long Island.

When the crofters had the hills, they migrated to them every summer season with their flocks. They remained in the hills till their corn was ripe for shearing when they and their cattle returned to the townland—Gaelic, Baile. Apart from the benefit derived by the flocks from the change of grass, the grass 'at 'home' thus left free was of inestimable advantage to the stock during autumn and winter. The stock needed but little house feeding, and that mostly during spring.

The crofters say that the change from the malaria of the plains to the bracing air of the hills was of benefit to themselves, and that as a consequence complaints common among them now were then unknown. They talk with delight of the benefit they derived in mind, body, and substance from their life among the hills. I entirely agree with them, and believe that these shrewd people are quite equal to their critics.

There is one place of which the old people speak with particular favour. It is on the Factor's farm of Ormaclait, out at the mouth of Lochaoineart, and at a place called Airi-nam-ban, the 'shealing of the women.' There had been a religious house here in the olden times, and from this circumstance the place is named.

These holy sisters had always the good taste to select or get selected for them the best situations for their dwellings. This place is no exception. One of the many beautiful descriptions of a beautiful place, in the old Gaelic tales, runs thus—

'Grianan-aluinn aona chrainn,
Air chul gaoithe, air aodan greine,
Far am faicemid an saoghal uile,
'S far nach faiceadh duin idir sinn.'

A lovely summer shealing of one tree,
Behind the wind, in front of the sun,
Where we could see the world all,
But where no man could us see.

Here the good nuns had such a place to their heart's desire. Behind rises Benmore 2030 feet high, the base of it winding round this beautiful spot, and sheltering it from the west, north, and east. In front is the Minch and the sea away as far as the eye can reach beyond Coll and Tiree, dotted with white sails bending in various directions. On the left is Skye, with the snow-capped Coolin Hills, their serrated peaks piercing the ever changing clouds; while ranged away to the south are the hills of Arasaig, Ardnamurchan, and of Mull, in the foreground of which lie, stretched in broken chain, the peaks of the Small Isles and the low-lying Islands of Coll and Tiree. Right below this beautiful summer shealing are ivy-clad sea precipices of great height, the home of the king of birds—Rìgh-nam-Ian, the Golden Eagle. The fine anchorage, close below to the right, is the sporting ground of varieties of fish. The bent back of the old man

XCIX.
 Alexander
 Carmichael.

who spoke of this place to me first straightened up; the dim blue eyes, which had seen the changes of ninety-nine years, sparkled with light, and the weak voice trembled with animation as he graphically described the place to me, and the joyous life they lived at the shealing there,

‘In life’s morning march, when his bosom was young.’

The smoke of the whole people, nuns and all, now ascends through the chimney of a single shepherd.

Highlanders are essentially musical. Of old they had songs for all the avocations in which they engaged, particularly for love, war, and the chase. Many of these are beautiful—all are chaste. They had labour songs, with which they accompanied themselves in rowing, shearing, spinning, fulling, milking, and in grinding at the quern. If they sing less now, their silence is due to repression from without.

The tendency of modern cultured life is to have prayers and hymns for special occasions. These old people, whom it is the fashion for those who know them least to condemn, had special prayers and special hymns for every occasion.

Correctly speaking, the hymns and prayers were one, the prayers being rendered into rhyme to help the memory. There was a special prayer on going to sea, a special prayer on going to the shealing, a special prayer for resting the fire at night, for kindling it in the morning, for lying down at night, for rising up in the morning, for taking food, for going in search of sheep, cattle, and of horses, for setting out to travel, and for other occasions.

These hymns having been asked for by members of the Commission during their Inquiry, a few are given at the end of this paper.

Lying across the north end of South Uist Proper, and separated by a ford nearly a mile wide, is the Island of Benbecula—Beinn-nam-faothla—‘hill of the fords.’ Stretching out from the south end of the Island, and across the east end of the Sound of Barra, is the rocky island of Eirisgey, whereon Prince Charles landed from France when he came to claim the crown of his fathers in 1745. These Islands are in the parish of South Uist.

On a rock above water mark is a sandy knoll whereon he scattered, on landing, the seed of a *Convolvulus major*. The seed grew, and the plant has spread over the place. The flower is pink, with a mauve tinge, and is very pretty. A patriotic gentleman from Harris, Dr Robert Stewart, built a wall round Coil-leag a Phrionns, the ‘Knoll of the Prince,’ as the place is called.

Seven miles north from the south end of South Uist, at Airi-mhuillinn—the ‘Mill Shealing’—are the ruins of the house where Flora Macdonald was born. In the neighbourhood is a boulder where she met the Prince by appointment when she undertook to take him to Skye. Should not these places be marked and held sacred for all time coming?

Six miles further north is Houbeag, where was born Neill MacEachain, father of Marshal Macdonald, Duke of Tarentum. This tribe of the Macdonalds is locally called Mac Eachain. Neill Mac Eachain was the son of a small farmer at Houbeag. He had been educated for the priesthood, but did not take orders. He had been schoolmaster for the parish and was acting as tutor in the family of Clauranald, when Lady Clauranald sent him to Skye with Flora Macdonald and her Irish spinning maid ‘Betty Burke,’ the Prince.

Neill Mac Eachain followed the Prince to France, where he changed his name back to Macdonald. He married, and his son entering the army, rose to the rank of Marshal of France and Duke of Tarentum.

In 1825 Marshal Macdonald came to South Uist to see his relations. On

coming in sight of the river, near which his father was born, he raised his arm, and exclaimed 'That is the River of Hough. I know it from my father's description. Many a salmon my father killed there.' On meeting his blind old uncle, he embraced him affectionately, and granted him and his daughter an annuity, and gave to various other relatives sums of money.

He took potatoes with him from the garden his father's father had, and earth from the floor of the house wherein his father was born. This earth was, by his orders, put into his coffin when he died. He parted with his relatives with many mutual regrets. That was a great day in Houbeag!

Right across the hills from Houbeag, after a two hours' walk, is Corradal, in which is the small cave where Prince Charles lived in hiding, Fo Choill, 'under the wood,' as the people say, for six weeks. The cave is in the face of a rock on the north side of a narrow glen.

Chambers says that about ninety persons knew that the Prince was in Corradal. He might safely have said nine hundred, yet no one attempted to betray him. The place was full of crofters then, though there are none now within many miles. The Rev. John Macaulay, grandfather to Lord Macaulay, was minister in the parish at the time.

Intermediate Run-Big.

The low-lying district of Iocar, 'nether,' is a narrow strip lying across from sea to sea on the extreme north end of South Uist. It is bounded on three sides by the sea, and on the fourth by a large farm. This district comprehends nine townlands, and an aggregate of eighty-eight crofters. Each of these crofters has a distinct croft of his own in his townland, and a share in the arable land common to the whole crofters of the district.

The crofts of the townlands lie towards the middle of the district. On the east, between the ragged townlands and the Minch, lies a moor interspersed with rocks, bogs, and water. Where the land is not rock it is heath, where not heath it is bog, where not bog it is black peaty shallow lake, and where not like a is a sinuous arm of the sea, winding, coiling, and trailing its snake-like forms into every inconceivable shape, and meeting you with all its black slimy mud in the most unexpected places. The crofters of the district send cattle here in spring and early summer, if driven by necessity from want of provender, not otherwise. The moss, particularly at one place, contains much Sundew, *Drosera rotundifolia*, and this the people affirm causes Red Water—Gaelic, Burn Dearg—in their cattle. The various names the old Highlanders had for this plant indicate that they understood its carnivorous nature before Darwin's discovery. The plant was called Lus a Ghadmuin, in reference to its qualities as a hair wash, Lus an Deoghail, from its sucking qualities, and Lus an Dioglain, from its titillating, tickling nature. The crofters themselves cultivate no part of this moor, but numerous squatters sent and settled there do.

Between the rocky, boggy, water-logged townlands and the Atlantic, is an extensive plain, locally called Machair. This Machair, like the moorland, is held in common by all the crofters of the district. Some portions of the Machair are cultivated, some are under grazing, and much is incapable either of cultivation or grazing, being simply sterile sand.

For economic purposes, the eighty-eight crofts of the district are divided into four sections of twenty-two each. These sections or wards are presided over by Constables, and the whole district is presided over by a Maor.

The cultivated parts of the Machair are periodically allotted among the eighty-

XCIX.

Alexander Carmichael.

XCIX.
 Alexander
 Carm c a

eight crofters. This is done at Hallowmas—Gaelic, Samhuin. The Scat, Clar, or Leob, as the undivided ground is called, is divided into four quarters.

These quarters are ballotted for by the Constables of the Townlands for their respective constituencies. This accomplished, the Constables, aided by the people, the whole supervised by the Maor, subdivide their respective sections into the necessary number of rigs or ridges—Gaelic, Imirean, or Iomairean.

The crofters cast lots in their respective wards, and the rig which then falls to a man he retains for three years. At the end of that time the whole cultivation is again let out in grass, and fresh ground broken in as before.

During summer and autumn, the flocks of the whole community graze over these Machairs, herded by one or two herdsmen as occasion requires.

While each crofter sends more or less stock to the district grazing of the machair, he probably grazes fewer or more cows and horses on the uncultivated portions of his croft at home. These are tethered or tended by a member of the crofter's family.

There being no fences in the district of Iocar, except those built by the late Rev. Father James Macgrigor, the gaunt cattle and horses of the crofters roam at will when the crops are secured. In their intense struggle for existence, these crofters keep far more stock than their crofts can at all adequately maintain. They do not act upon their own proverb, 'Is fear aon 'laogh na da chraicinn,' One calf is better than two skins. They give the food to their cattle and horses that they so sorely need for themselves. Considering the quantity and quality of their land, that the cottars living upon them are nearly as numerous as the crofters themselves, while many of these keep nearly as much stock, that practically they support their own poor, and several other considerations that must be taken into account, probably these crofters pay four times the rent paid by the large farms; not that the large farms are under-rented; that as a whole they are not. That the Iocar crofters exist at all is only an evidence of the tenacity of their race. As one of themselves said—'We take a deal of killing, or we would have been killed out long ago.'

Of the dykes built by Mr Macgrigor no praise is too good. Mr Macgrigor was the priest of probably the most depressed congregation in Scotland. Yet during his incumbency of over forty years he showed a more admirable example to the people how to improve their crofts than all the proprietors, factors, and tacksmen put together. He built several miles of the most excellent enduring stone dykes round and across his croft, while it is computed that more stone is hid underground in drains made by him than appears in these dykes. And all these stones, together with those that went to build his chapel, chapel-house, and outhouses, Mr Macgrigor quarried from the rocky hillocks and erratic boulders that literally studded the face of the land when he came to the place. This land, so well laid out in parks, is now equal to any in the Western Isles for cropping and grazing.

Mr Macgrigor lived on the plainest fare in order to improve his place. He personally superintended the digging and the filling up of every drain, the building of every dyke, and the constructing of every house, while nothing delighted him so much as to see boulders and rocks breaking down before his fire, gunpowder, and crow-bars.

The good works that this poor priest accomplished above and below ground, and as a skilful medical man among all denominations, and in social life, are marvellous. Nor are they 'all interred with his bones.' Mr Macgrigor was the last professor in the Catholic College of Lismore. In that island he is still remembered.

Mr Macgrigor was warmly loved and welcomed wherever he went, and nowhere more warmly than by the excellent family of the then minister of the parish, the Rev. Roderick Maclean. Mr Maclean, being an excellent classic, as well as an excellent man, read from the Greek and Hebrew Texts to the last. He and Mr Macgrigor were warm friends, and perhaps no more graceful act was ever done by the minister of one denomination to that of another, than was done by the parish minister to the priest. The then factor was depriving Mr Macgrigor of his croft and confiscating his improvements. The minister of the parish, the only man who could do so with safety, used his good offices with the absentee proprietor, and Mr Macgrigor, to the relief of every person, was let alone.

A subsequent factor nearly took the place from Mr Macgrigor's successor, not because this lamb himself was accused of disturbing the water, but because, as the factor alleged, erroneously, however, that another lamb of the same kind, in a distant fold, was. Better counsel prevailed, however.

These and similar cases show the need of security against arbitrary evictions, at the hands of men whose own despotic will is their law. When men so offenceless, so respected and beloved by the whole community, so narrowly escaped, what chance had obscure crofters who had no one to speak for them?

What improvements on lands or on houses can be expected under such conditions, and in the absence of proprietors or proprietrixes if misled, however well meaning?

Dr Alexander Macleod, commonly called An Dotair Ban, from his fair hair, was factor over the South Uist estates for a few years. During his altogether too brief factorship, Dr Macleod conceived and executed many schemes of great originality and utility for the improvement of the estates. Among other things he placed stones along the strand for growing sea-weed; he planted bent, Gaelic, Muran, over hundreds of acres of sterile sands that are now smiling machairs; and he cut canals—Gaelic, Ligeadh—from lakes to the sea, whereby he drained vast tracts of land hitherto under water. On these canals he placed ingeniously constructed self-acting flood-gates, to let out the fresh and to keep out the salt water.

Instead of draining the estates of their money, like others, Dr Macleod endeavoured to drain them of their water, while the many wonderful improvements he effected over these estates testify to his success, and indicate what the estates would have become under his management.

When Colonel Gordon of Cluny heard of his death, he wept, though not much given to weeping, and said:—‘I have had many halfpennies, but never a whole factor except Dr Macleod.’

The people of the Western Isles still speak with admiration of Dr Macleod's head and heart, and of his medical skill.

The people of the Gordon estates had great faith in the ability and integrity of Mr James Drever, now of Orkney, for the improvement of the impoverished estates and people, and they still regret his resignation of the factorship.

NORTH UIST.

All the crofter land in North Uist, except that of three farms, is held and worked on the Intermediate System of Run-Rig. This system has been described in South Uist. The three farms in question are those of Hosta, Caolas Paipil, and Heisgeir. These three are still used and worked entirely on the Run-Rig System, and probably they are the only examples now remaining in Scotland, if not in the British Isles, of this once prevalent System of holding the land and tilling the

XCIX.
 —
 Alexander
 Carmichael.

ground. And, perhaps, it is in the fitting order of things that these, the last lingering footsteps of this far-travelled pilgrim from the eye of day, should here sink down on the bosom of endless night, where the last rays of the setting sun sink and disappear in the mysterious fading horizon beyond. But this is a practical age, and these are day dreams. I am no advocate for the retention of a system now effete, and yet I cannot help heaving a sigh of regret on seeing a system, once and for ages, the land system of millions of the human race, now disused, discarded, and disowned, disappearing, and for ever, on the shores of those eerie Western Isles, washed by the Atlantic tide, whose waves pour their dirge-like strains over the dying, while the voice of Celtic Sorrow wails on the lonely ear of Night—

‘Cha till, cha till, cha till mi tuille !’

‘I return, I return, I return nevermore !’

The townlands of Heisgeir, Caolas Paipil, and Hosta are worked alike. The first contains ten, the second six, and the third four tenants.

These three farms were of old occupied by one tenant in each. When they were let, one after another, some years ago to small tenants, these new tenants adopted the Run-Rig System in its entirety, as the system best adapted to the circumstances of their position. Nor must they be condemned in this without taking all the circumstances of their position into consideration. Moreover, these men are probably as well qualified to judge of their own requirements as any person likely to sit in judgment upon them.

Heisgeir.

Heisgeir is a low-lying sandy island in the Atlantic. It is three miles in length, and a mile and a third in breadth at its broadest. When the tide is in, the island is divided into three by two fords that cross it; while beyond it lies the Island of Seiley, separated by a strait a third of a mile wide that never dries.

Heisgeir lies four and a half miles from North Uist, to which it belongs.

The island is variously called Heisgeir, Teisgeir, and Aoisgeir. The last form is the key to the meaning of the name, but the first being the most common form I shall adhere to it.

Aoi is a Gaelic name for isthmus. An isthmus, Aoi, connected the island of Heisgeir with the mainland of North Uist.

The isthmus was called Aoi, as similar places are still called. But, partly through the gradual subsidence of the land, and partly owing to the gradual dislodgment of the friable sand forming the isthmus, the isthmus by degrees gave way to fords, and the fords broadened into a strait four and a half miles wide and four fathoms deep. Tradition still mentions the names of those who crossed these fords last, and the names of persons drowned in crossing.

As the isthmus gradually disappeared, the name Aoi disappeared with it, and became attached to the peninsula beyond it, now an island. A similar process is going on elsewhere, and under precisely similar conditions.

And this I take it is the way in which the island of Iona acquired its present Gaelic name. This sacred isle is called in Gaelic, I Chalum Chille, and which is usually translated ‘Isle of Columba of the Churches.’ But there is no such word in Gaelic as I for an island. Therefore, I take it that I is simply a mal-pronunciation of Aoi, and that the correct Gaelic name of Iona is, Aoi Chalum Chille. Iona was called Aoi in the year 1088.

That Iona became an island as Heisgeir became an island is extremely probable. Perhaps there was less subsidence of land, but that a sandy

isthmus connected Iona with the opposite shore of Mull must be evident to any person who examines the place at low water.

Nor does it militate against this theory that the formation on the Mull side is granite, while that of Iona is gneiss.

That the heavy Atlantic surf, ceaselessly beating against a bank of friable sand should ultimately destroy it is only natural. The process is going on at various places along the West Coast. I know men who ploughed and reaped fields now under the sea.

The island of Heisgeir is called Heisgeir Nan Cailleach—'Heisgeir of the Carlins.' A community of Nuns lived here in connection with Iona. These good Nuns lived there far into Reformation times, and only died out from natural decay. The site of their house was pointed out to me by a lonely old woman who lived on the spot, and who, from her aged appearance, might almost have been the last remaining link between them and us.

Divided by a strait a third of a mile wide, and beyond Heisgeir Proper, is Heisgeir Nam Manach—'Heisgeir of the Monks.' The whole extent, rocks included, is half a mile long and half a mile wide. A monastery stood in the olden times where the lighthouse now stands. And I think it is but simple justice to the memory of those good monks of old to believe that they were actuated from pure motives of humanity to build their house on that wild bare bluff to warn passing vessels of their danger. The lighthouse serves the same purpose now.

This is the nearest island to Saint Kilda, and is known to mariners as Monach, but to the natives as Seiley-Seal-isle—Norse. Before the lighthouse was built the island and the rocks around it were much frequented by seals. They have now deserted the place. Shipping is indebted to Mr John Macdonald, Newton, for having drawn the attention of the Lighthouse Commissioners to the need of a lighthouse on this highly dangerous coast.

One summer day long ago, all the men and women in Heisgeir went to Seiley to shear sheep. Having landed their wives on Seiley, the men went to a tidal rock near hand to kill seals. In their hurry to club the seals on the rock they omitted to secure their boat properly, and the boat drifted away before the wind. The women had no boat with which to rescue their husbands, and the tide was flowing rapidly. The cries of the distressed women were heard by a woman on the opposite side of the strait. End by end this brave woman took down from above water mark a large boat and pulled it across to her agonised sisters. But alas, too late! The Atlantic waves rose mountains high, as they can rise only round this coast, and the men were swept off the rock one by one and drowned before the eyes of their wives. Some of the wives lost their reason, some lost their health and strength, and died of broken heart. Such is the tradition in the place.

The flesh of the seal is called Carr in Gaelic. This is probably the root of Cardhus—Lent—from Carr-Dhiosg, flesh-weaning, or Carr-Thraigs, flesh-fasting. The flesh of the whale is also called Carr, but the flesh of no land animal is. It would be curious to trace the cause of this distinction.

The people of Uist used to eat seals. One of their proverbs is—

'Is math am biadh femanaich
Aran seagail agus saill roin.'

'Good food it is for sea-weed worker
Rye bread and blubber of seal.'

The seal blubber was cut into long thin strips. These were placed on a table.

XCIX.
Alexander
Carmichael.

A board, with heavy weight on the top, was placed over the strips of blubber to press out the oil. The people's tastes have changed, and they do not now eat seals. Probably the monks of Monach used seal flesh for their table, and seal oil for their beacon lights.

The hapless Lady Grange lived in Heisgeir before she was sent to Saint Kilda.

Run Rig Wholly.

All the land in Heisgeir is held in common by all the tenants of the island. There are no crofts, and consequently no portion of the land is permanently held by an individual tenant. There are ten tenants, and two of these having two shares each, the land is divided into twelve shares.

About Hallowtide—Gaelic, Samhuin—the ten tenants of the island meet for nabac, 'neighbourliness.' Probably the only thing to be done at the neighbourly conference is to decide upon the piece of ground to be broken up for cultivation. This foregone conclusion decided, the men proceed at dawn of day to divide the ground. The land to be divided is called Scat, Clar, or Leob.

The Constable takes a rod and divides the Scat into six equal divisions. At the boundary of each division he cuts a mark—Gaelic, Beum—in the ground, which is called by the curious name of Torc. The Torc resembles the broad arrow of the Ordnance Department.

The word Torc signifies a notch, and is applied to cattle whose ears are notched. These notch-eared cattle—'Torc-Chluasach'—are frequent in the Western Isles, and are spoken of as 'Slioc a Chroidh Mhara,' the descendants of the fabled sea cattle.

The Constable, having marked off the Scat or Clar into six divisions, with the willing aid of his fellow-crofters, sends a man out from the people. Probably the man sent out of the way is the herdsman, who has no personal interest in the matter. Each of six men then put a lot—Gaelic, Crann—into a bonnet. The man sent out is then recalled, and the bonnet is handed to him. From this the man takes the lots, and places them one after one on a line on the ground. The order in which the lots stand on the ground is the order in which the owners of the lots stand to one another in the shares. Each man knows his own mark, and care is taken when putting them into the bonnet that no two be alike.

The two tenants who have double shares, retain their two shares each. The other four tenants subdivide their divisions with the other four men whom they represent. These subdivisions are called, Imirean or Iomairean, rigs or ridges. Each two tenants cast lots again for the two subdivided rigs.

These arrangements are carried out quickly and quietly, and as the people themselves correctly say—'Gun ghuth mor gun, droch fhacal'—without a loud voice, without an evil word.

The tenants set apart a piece of ground for their herdsman, and this is called in Gaelic, Imir a Bhuachaille, the rig of the herdsman. This is generally the outside ridge bordering on the grazing, and called the 'Imir Ionailt,' the browsing rig. The reason of giving this ridge to the herd is obvious. The man will take care to keep his own ridge safe, and if that ridge be safe the others are sure to be safe, because they lie behind it.

The crofters also set apart pieces of ground for the poor among them. These are called 'Imirean nam boc,' the ridges of the poor, and 'Canag nam boc.'

The kindness of the poor to the poor throughout these islands is wonderful.

This arrangement of the land lasts for three years, at the end of which time the ground is let out under grazing as before, and new ground is broken in. This is the Roinn Ruith, Run Rig System, pure and simple.

XCIX.

Alexander
Carmichael.

When the townlands are reclaiming moorland, the crofters divide the ground into long narrow strips, about five feet wide. In English these narrow strips are called "lazy beds"—why, I do not know. In Gaelic they are called Feannag. The name is in allusion to the flaying and turning over of the surface. This is an admirable way of reclaiming land, especially wet land. The deep frequent furrows allow the warmth of the sun to reach the seed in the ground from the top and both sides of the 'bed,' while the drains dry the land. The crops produced by this mode of tillage, especially in damp ground, is better than that produced by the plough.

The extent of ground which strong bodies of crofters can reclaim in a few years is surprising, and not less so the improved appearance of the land under their operations. In this manner vast tracts of country have been reclaimed, and the aspect of nature converted from repulsiveness to attractiveness. Too often, however, others than the crofters have reaped the benefit.

Long stretches of the west coast of the Outer Hebrides are low and sandy. Upon these low-lying sandy shores the Atlantic storms drive great quantities of sea-weed, principally fuci. With this fuci the people manure their lands and produce their crops.

The people of Saint Kilda sing, or used to sing, a joyous song on the arrival of their birds. The song begins—

'Bui'cheas dha 'n Ti thaine na Gugachan
Thaine 's na h-Eoin-Mhora cuideriu
Cailin dugh ciaru bo 's a chro !
Bo dhonn ! bo dhonn ! bo dhonn bheadarrach !
Bo dhonn a ruin a bhlitheadh am baine dhuit
Ho ro ! mo gheallag ! ni gu rodagach !
Cailin dugh ciaru bo 's a chro—
Na h-eoin air tighinn ! cluinneam an ceol !

'Thanks to the Being, the Gannets have come,
Yes ! and the Great Auks along with them.
Dark haired girl !—a cow in the fold !
Brown cow ! brown cow ! brown cow, beloved ho !
Brown cow ! my love ! the milker of milk to thee !
Ho ro ! my fair skinned girl—a cow in the fold,
And the birds have come !—glad sight, I see !'

In like manner the people of the Outer Hebrides are pleased when they see their wild shores strewn with their thrice welcome sea-weed.

In order to apprise them of the arrival of the sea-weed, most farms have a man living near the shore, whose duty it is to hoist a bundle of ragged sea-weed on the top of a pole. This man is called Am Peursair, the perchman, and his services are paid in sea-weed and land.

Men and girls, with horses and carts and creels, labour assiduously in removing the sea-weed beyond reach of the tide. If they did not, perhaps the next tide might sweep the whole away. In their eagerness to secure the sea-weed, the people often, with the sea above their knees, work themselves and their horses altogether too much day after day.

When sea-weed is abundant on the shore, there is no restriction, but when not abundant, the sea-weed is divided into Peighinnean, 'pennies,' like their land into rigs, ridges.

Should other work be pressing, perhaps the landed sea-weed is allowed to lie above the shore for a time. If so it soon heats and putrifies, and the smell

XCIX.
Alexander
Jarmichael

arising from these innumerable heaps of corruption is strong and offensive to a degree. However, the bountiful ozone from the Atlantic counteracts it all, and no harm arises.

If possible, however, the people remove the sea-weed to the ground without delay, and spread it on their fields. The people are aware that much of the substance of the sea-weed is thus lost to them. But they cannot do better.

Throughout the Long Island the crofters keep stock according to recognised long-established regulations among themselves. These vary to some degree in various districts. In Lews and Harris the crofters keep stock according to every pound of rent they pay. This is called *Coir-Sgoraidh*, grazing-right. Every cow is entitled to her progeny—*Bo le h-al*. But the number of progeny to which a cow is entitled is not the same everywhere. In some districts the cow is entitled to her calf only, in some to her calf and stirk; in some to her calf, stirk, and two-year-old quey; while in some other districts the cow is entitled to her calf, stirk, quey, and three-year-old heifer.

This is called *Suim*, soun, and a man is entitled to send so many soums to the grazings of his townland. A man's whole stock is called *Leibhidh*, and the amount of stock he is allowed to the grazing of his community is called *Sumachadh*, souming. Of this *Leibhidh* he sends so many soums to the townland grazing, while he keeps more or less stock of cows and horses at home on his croft. In the three townlands of *Heisgeir*, *Hosta*, and *Caolas Paipil*, the tenants are unable to keep any stock at home, being on the *Rum-Rig* system pure and simple. The people make what they call a *Sumachadh Souming* twice a year. The first takes place at *Bealltain*, 1st May, and the second, after the last of the markets are held, when they have sold all the stock they care to sell for the year.

In the *Uists* and *Barra* the people keep stock according as they have a whole croft, a half croft, or a quarter croft. Each croft in the particular townland is entitled to so many soums.

If the stock of a tenant be incomplete it is called *Leibhidh Briste*, 'Broken Levy.' In that case the tenant may dispose of his grazing-right to a neighbour who may have an overstock.

The tenants of a townland will not willingly allow a fellow-tenant to sell his grazing outside the townland. There are various things which a tenant can do and which he cannot do; and all these things, so intricate to a stranger, so easy to themselves, are well defined.

All these stock and land arrangements of the people show that they could not have been devised by fools; nay, that the framers of these regulations must have been shrewd intelligent people.

Should a tenant have an overstock of one species of animals and an understock of another species, these species are placed against one another. This is called *Coilpeachadh*, which for want of a better term may be called 'equalizing.' In like manner, if a tenant has an overstock of the old and an understock of the young of the same species of animals, the young and the old are placed the one against the other and equalised. After the *Coilpeachadh* is done, should there still be a balance against the tenant, he must provide for it specially. This is done by buying grass from a neighbour who is short of stock, or from a tenant in a neighbouring townland. Or perhaps his fellow-tenants may allow the man to retain the extra cow, horse, heifer, stirk, or sheep, as the case may be, on the grass till he can dispose of it at the market. If so, they will exact payment for the grazing, and this payment is added to the general fund of the community towards purchasing fresh stock.

In these and all other matters the people are forbearing and considerate towards one another, and a man placed in any difficulty is aided to the utmost by his community. If, however, a man is obstinate, he is denounced as *Fiacail Gaibhre*, gaber tooth, goat tooth, standing out against the customs of the community.

The *Coilpeachadh* varies in some slight degree in some of the islands. The following table, however, may be accepted as fairly representing the whole Outer Hebrides :—

	1 horse is equal to 8 foals.
1 „ „	4 one-year-old fillies.
1 „ „	2 two-year-old fillies.
1 „ „	{ 1 three-year-old filly
	{ 1 one-year-old filly.
1 „ „	2 cows.
1 cow „	8 calves.
1 „ „	4 stirks.
1 „ „	2 two-year-old queys.
1 „ „	{ 1 three-year-old quey.
	{ 1 one-year-old stirk.
1 „ „	8 sheep.
1 „ „	12 hogs.
1 „ „	16 lambs.
1 „ „	16 geese.

Three one-year-old hogs are equal to two sheep ; one two-year-old hogg is equal to one sheep, and other modifications.

The young of the horse and the cow arrive at maturity at four years of age. The old Highlanders never worked nor bred their horses or cattle till they had arrived at maturity. They said that the horse, the mare, and the cow lasted twice as long when thus treated. In *Kintail* of old an entire horse was not allowed to work before he was seven years of age. Probably now-a-days that would be considered waiting too long.

The young of most animals are changed to a new name on the first day of winter. The foal becomes a *Loth* or *lothag*, filly ; the lamb became an *Othaisg*. For these things, and for most, if not indeed for all things of this nature, 'the old people' had rhymes to assist the memory. These rhymes are invariably expressive and pithy, although now becoming obsolete.

The calf changes to a stirk—

' *La Samhna theirear gamhna ris na laoigh,*
La 'Illeain theirear aidhean riu na dheigh.'

At *Hallowtide* the calf is called a stirk eye,

At *Saint John's* the stirk becomes a quey.

The young are separated from their mothers, and the new name is applied to them at *Hallowmas*, Gaelic, *Samhuin*.

Having finished their tillage, the people go early in June to the hill-grazing with their flocks. This is a busy day in the townland. The people are up and in commotion like bees about to swarm. The different families bring their herds together and drive them away. The sheep lead, the cattle go next, the younger preceding, and the horses follow. The men carry burdens of sticks, heather-ropes, spades, and other things needed to repair their summer huts (*Sgitheil*, *Bothain*). The women carry bedding, meal, dairy and cooking

XCIX.

Alexander
Carmichael

utensils. Round below their waists is a thick woollen cord or leathern strap (Crios-f heile, kilt-band), underneath which their skirts are drawn up to enable them to walk easily over the moors. Barefooted, bareheaded, comely boys and girls, with gaunt sagacious dogs, flit hither and thither, keeping the herds together as best they can, and every now and then having a neck-and-neck race with some perverse animal trying to run away home. There is much noise. Men—several at a time—give directions and scold. Women knit their stockings, sing their songs, talk and walk as free and erect as if there were no burdens on their backs nor on their hearts, nor sin nor sorrow in this world of ours, so far as they are concerned. Above this din rise the voices of the various animals being thus unwillingly driven from their homes. Sheep bleat for their lambs, lambs for their mothers; cows low for their calves, and calves low for their dams; mares neigh for their foals, and foals reply as they lightly trip round about, little thinking of coming work and hard fare. All who meet on the way bless the ‘Trial,’ as this removing is called. They wish the ‘Trial’ good luck and prosperity, and a good fitting day, and, having invoked the care of Israel’s Shepherd on man and beast, they pass on.

When the grazing-ground has been reached and the burdens are laid down, the huts are repaired outwardly and inwardly, the fires are rekindled, and food is prepared. The people bring forward their stock, every man’s stock separately, and, as they are being driven into the enclosure, the constable and another man at either side of the gateway see that only the proper sounding has been brought to the grazing. This precaution over, the cattle are turned out to graze.

Having seen to their cattle and sorted their shealings, the people repair to their removing feast Feisd na h-innrig; or shealing feast, Feisd na h-airidh. The feast is simple enough, the chief thing being a cheese, which every housewife is careful to provide for the occasion from last year’s produce. The cheese is shared among neighbours and friends, as they wish themselves and cattle luck and prosperity.

Laoigh bhailgionn bhoirionn air gach fireach
Piseach crodh na h-airidh.

Every head is uncovered, every knee is bowed, as they dedicate themselves and their flocks to the care of Israel’s Shepherd.

In Barra, South Uist, and Benbecula, the Roman Catholic faith predominates; here, in their touching dedicatory old hymn, the people invoke, with the aid of the Trinity, that of the angel with the cornered shield and flaming sword, Saint Michael, the patron saint of their horses; of Saint Columba the holy, the guardian over their cattle; and of the golden-haired Virgin Shepherdess, and Mother of the Lamb without spot or blemish.

I.

‘A Mhicheil mhin ! nan steud geala,
A choisin cios air Dragon fala,
Air ghaol Dia’ us Mhic Muire,
Sgaoil do sgiath oirnn dian sinn uile,
Sgaoil do sgiath oirnn dian sinn uile.

II.

‘A Mhoire ghradhach ! Mathair Uain-ghil,
Cobhair oirne, Oigh na h-uaisle;
A rioghainn uai’reach ! a bhuchaille nan treud !

Cum ar cua ach cuartaich sinn le cheil,
Cum ar cuallach cuartaich sinn le cheil.

XCIX.

Alexander
Carmichael

III.

'A Chalum-Chille! chairdeil, chaoimh,
An ainm Athar, Mic, 'us Spioraid Naoimh,
Trid na Trithinn! trid na Triath!
Comraig sinne, gleidh ar trial,
Comraig sinne, gleidh ar trial.

IV.

'Athair! A Mhic! A Spioraid Naoimh!
B'eadh an Tri-Aon leinn a la's a dh-oidhche!
'S air machair loim, no air rinn nam, beann,
Bi'dh an Tri-Aon leinn 's bith A lamh mu'r ceann,
Bi'dh an Tri-Aon leinn, 's bi'th A lamh mu'r ceann.'

Iasgairan Bharraidh—

'Athair! A Mhic! A Spioraid Naoimh!
B'eadh an Tri-Aon leinn, a la's a dh-oidhche!
'S air chul nan tonn, no air thaobh nam beann,
Bi'dh ar Mathair leinn, 's bith A lamh fo'r ceann,
Bi'dh ar Mathair leinn, 's bith A lamh fo'r ceann.

THE SHEALING HYMN.

I.

'Thou gentle Michael of the white steed,
Who subdued the Dragon of blood,
For love of God and the Son of Mary,
Spread over us thy wing, shield us all!
Spread over us thy wing, shield us all!

II.

'Mary beloved! Mother of the White Lamb,
Protect us, thou Virgin of nobleness,
Queen of beauty! Shepherdess of the flocks!
Keep our cattle, surround us together,
Keep our cattle, surround us together.

III.

'Thou Columba, the friendly, the kind,
In name of the Father, the Son, and the Spirit Holy,
Through the Three-in-One, through the Three,
Encompass us, guard our procession,
Encompass us, guard our procession.

IV.

'Thou Father! Thou Son! Thou Spirit Holy!
Be the Three-One with us day and night,
On the machair plain, on the mountain ridge,
The Three-One is with us, with His arm around our head,
The Three-One is with us with His arm around our head.

XCIX.

*Barra Boatmen's Version of last Verse—*Alexander
Carmichael.

'Thou Father! thou Son! thou Spirit Holy!
 Be the Three-One with us day and night,
 And on the crested wave, or on the mountain side,
 Our Mother is there, and Her arm is under our head,
 Our Mother is there, and Her arm is under our head.'

In North Uist, Harris, and Lews, the Protestant faith entirely prevails, and the people confine their invocation to,

The Shepherd that keeps Israel,
 He slumbereth not nor sleepeth.
 Feuch air Fear Coimhead Israeil,
 Codal cha'n aom no suain.

As the people sing their dedication, their voices resound from their shealings here literally in the wilderness, and as the music floats on the air, and echoes among the rocks, hills, and glens, and is wafted over fresh-water lakes and sea-lochs, the effect is very striking.

The walls of the shealings in which the people live are of turf, the roof of sticks covered with divots. There are usually two shealings together; the larger the dwelling, the smaller the dairy. This style of hut (Sgithiol) is called 'Airidh' or shealing, and 'Both cheap,' or 'Bothan cheap,' turf bothy; to distinguish it from the 'Both cloiche' or 'Bothan cloiche,' stone bothy. This is entirely constructed of stone, the roof tapering to a cone more or less pointed. The apex of the cone roof is probably finished off with a flag, through the centre of which there is a hole like that through an upper millstone, the opening for the egress of smoke and the ingress of light. There is a low doorway with a removable door, seldom used, made of wicker work, wattles, heather, or bent. In the walls of the hut, two, three, or four feet from the floor, are recesses—Gaelic, *Buthailt*, Scottish 'bole'—for the various utensils in use by the people, while in the bosom of the thick wall low down near the ground are the dormitories wherein the people sleep. The entrance to these dormitories, slightly raised above the floor, is a small hole, barely capable of admitting a person to creep through. This sleeping place is called 'Crupa, from 'Crupadh,' to crouch. It was a special feature in the architecture of the former houses of St Kilda, the houses themselves being called 'Crupa' from this characteristic. These beehive stone houses are still the shealings of the Lewis people. Some are also to be seen in the forest of Harris, but none in either of the Uists or in Barra. In these places the people have practically ceased going to the summer shealings. Invariably two or three strong healthy girls share the same shealing. Here they remain making butter and cheese till the corn is ripe for shearing, when they and their cattle return home. The people enjoy this life at the hill pasturage, and many of the best lyric songs in their language are in praise of the loved summer shealing.*

Considerable changes are now taking place among the people of the Outer Hebrides as to the rearing and the disposing of stock. Markets are more open to them, and they can sell their stock early, and of this they take advantage. But under their old conditions, and considering all their circumstances, which must be weighed before judging, probably none better than their old systems were ever devised.

* The writer has a small primitive stool, upon which Prince Charlie sat in one of these summer shealings during his wanderings after the disasters of Culloden. The people spoke and sung of the Prince as, *Am Buachaille Ban*, *Am Buachaille Buidhe*, 'the fair-haired Herdsman,' 'the yellow-haired Herdsman.' The allusion was understood without committing themselves.

In various localities and on various occasions I made minute inquiries of old people as to the detailed farm stock and domestic substance of their fathers. The people then had more land and of better quality; they had more horses, sheep, and cattle; they had more crop, and of better quality; they had better nourishing food, and they had better bed and body clothing. They had also more constructive ingenuity in arts and manufactures, and they had more mental and physical stamina, and more refinement of manners.

Therefore go back to the old order of things under improved conditions. Unloosen their cords, and allow the people to expand by filling up the central rungs in the land ladder, all of which are at present absent, rendering it impossible for a crofter, however industrious, to rise higher than he is. To my thinking it is impolitic, as well as unjust, to hem the people into a corner, thereby impoverishing the many to enrich the few. The people of the Outer Hebrides are admirable workers by sea and land, and if they are less persevering than they might be, it is the fault of circumstances.

XCIX.

Alexander
Carmichael.

 OLD HYMNS.

The oral lore of the old Highland people is rapidly dying out with the old people themselves. There is an essential difference between the old and the young people. The young people are acquiring a smattering of school education in which they are taught to ignore the oral literature which tended to elevate and ennoble their fathers. In his anxiety to rescue what he could of this unwritten literature of various kinds, the writer has sacrificed promotion several times offered to him. A few hymns from this mass of old lore are given in this paper at the desire of the noble Chairman of this Commission, Lord Napier and Ettrick.

XCIX.

Alexander
Carmichael.

URNUIGH SMALAIHD AN TEINE.—PRAYER ON 'SMOORING' the FIRE.

The following beautiful little prayer is said by women in South Uist while putting up their fire for the night. And the people believe that those mentioned in the prayer do watch over themselves and their households and shield them from harm while they sleep.

'Kind hearts are more than coronets,
And *simple faith* than Norman blood.'

The Scotch word 'Smoothing,' smothering, is the nearest equivalent of the Gaelic word Smaladh that occurs to me.

'Tha mi smaladh an teine
Mar a smalas Mac Moire
Gu mu slan dha'n taigh's dha'n teine
Gu mu slan dha'n chuideac uil
Co siod air a lar? Peadair agus Pal,
Co air a bhi'eas an fhaire noc?
'Air Moire mhin-gheal 's air a Mac.
Beul De a thuradh aingeal De a labhradh
Aingeal an dorus gach taighe
Ga'r comhnadh's ga'r gleidheadh,
Gu'n tig la geal a maireach.'

Translation—

I smoor the fire,
As it is smooored by the Son of Mary.
Blest be the house, blest be the fire,
And blessed be the people all.
Who are those on the floor? Peter and Paul.
Upon whom devolves the watching this night?
Upon fair gentle Mary and her Son.
The mouth of God said, the angel of God tells.
An angel in the door of every house,
To shield and to protect us all,
Till bright day-light comes in the morning.

ANT ALTACHADH LEAPA.—THE BED BLESSING.

The following prayer is said or sung by Catholics in South Uist, in going to bed. The old man from whom I first took it down, told me that he said it every night since he was fifteen years of age, and that it had been taught him by his father.

I.

Tha mise laidhith noc, le Moire 's le' Mac,
Le Mathair mo Rìgh, tha ga-m' dhion o gach loc;
Cha laidh mi lois an olc, cha laidh an t-olc liom,
Ach la'idh mi le Dia, 'us la'idh Dia liom.

II.

Lamh dheas De fo m'cheann,
Soillse an Spioraid os mo chionn;
Crois nan naogh aingeal tharam sìos,
O mhullach mo chinn gu iocar mo bhonn.

III.

Crois Mhoire 's Mhicheil, ma-riam ann an sith,
M' anam a bhi 'm firinn, gu'n mhi-run am chom.

IV.

O Ios gu'n loc, a cheusadh goirt,
Fo bhinn nan olc a sgiursadh Thu ;
A liuthad loc, a rinn mo chorp,
Nach faod mi noc a chunntachadh (1).

V.

A Rìgh na Fola Firinnich,
Na dibir mi o d' mhuinntireas ;
Na tagair orm mo mhi-cheartan ;
Na di-chuimhnuich ad' chunntadh mi (1).

VI.

Guidheam Peadair, guidheam Paul,
Guidheam Moir Oigh agus a Mac,
Guidheam an da ostal deug,
Gu'n mise dhol eug a noc.

VII.

A Dhia agus a Mhoire na glorach,
Ios a Mhic na h-Oighe cubhraidh,
Cumaibh sinne o na piantaibh ;
{ 'S o'n teine dhorcha dhuinte.
{ 'S o'n teine shiorraidh mhuchta.

VIII.

M anam aig fear shorchar na frithe (2)
Michal Geal an codhail mo anama.

(1). The IV. and V. verses were not in the first version I obtained of this beautiful hymn. I am not sure that they originally formed part of it. This, however, can only be a matter of conjecture. Not infrequently in old Gaelic poetry, sacred and profane, the measure, rhyme, assonance, and even subject, change in the same poem. Old English poetry is the same.

(2). I am not satisfied that I have correctly translated this line. *Sorch* means "light," in contradistinction to *dorch* "dark." *Sorchar*, I take it, is the man or being of light, as *dorchar* is the man or being of darkness. *Sorch*, "Light," is the name of a woman in the Long Island. A. C.

THE BED BLESSING.—CLOSE TRANSLATION.

I.

I lie down this night, with Mary and with her Son,
With the Mother of my King, who shields me from harm ;
I shall not lie down with evil, nor shall evil lie down with me,
But I shall lie with God, and God will lie down with me.

XCIX.

Alexander
Carmichael.

II.

The right hand of God under my head,
The light of the Spirit Holy shining over me,
The cross of the nine angels along me, down
From the crown of my head to the soles of my feet.

III.

.
Be the cross of Mary and of Michael with me in peace,
May my soul dwell in truth, and my heart be free of guile.

IV.

O Jesus without offence that wast crucified cruelly
Under sentence of the evil ones, Thou wert scourged;
The many evils done by me in this body
That cannot this night be numbered!

V.

Thou King of the Blood of Truth,
Omit me not from thy covenant,
Exact not from me for my sins,
Nor forget me in thy numbering.

VI.

I pray Peter, pray I Paul,
I pray Mary, Virgin, and her Son,
I pray the Apostles twelve
That I may not die this night.

VII.

Oh, God! Oh, Mary of Glory!
Oh, Jesus! Thou Son of the Virgin fragrant,
Keep ye us from the pains,
{ And from the dark hidden fire,
{ And from the everlasting suffocating fire.

VIII.

.
My soul is with the Light of the mountains,
Archangel Michael shield my soul!

BEANNACHADH BUACHAILLEAC.—THE HERDING BLESSING.

This invocation used to be sung by old men and women while tending their
cattle among the hills of South Uist.

I.

Cuireamsadh an spreidh so romham,
Mar a dh-ordnich Rìgh an domhan
Moire ga'n gleidheadh, ga'm feitheadh, ga'n coimhead,
Air bheann, air ghleann, air chomhnart,
Air bheann, air ghleann, air chomhnart.

II.

Eirich a Bhrìde mhin-gheal,
 Glacsa do chìr agus d'fholt,
 O rinn thu daibh eolas gu'n aura
 Ga'n cumail o chall 's o loc,
 Ga'n cumail o chall 's o loc.

XCIX
 Alexander
 Carmichael.

III.

O chreag, o chabhan, o allt,
 O chara cam, o mhille sluic,
 O shaighde nam ban seanga sith,
 O chridhe mhi-ruin, o shuil an uile,
 O chridhe mhi-ruin, o shuil an uile.

IV.

A Mhoire Mhathair ! cuallaichs an t-al gu leir !
 A Bhrìde nam hasa-mine, dìonsa mo spreidh !
 A Chalum chaoimh, a naoimh is fearr buadh,
 Comraig-sa crodh an ail, bairig am buar,
 Comraig-sa crodh an ail, bairig am buar.

THE HERDING BLESSING.—CLOSE TRANSLATION.

I.

I place this flock before me,
 As 'twas ordered by the King of the world,
 Mary Virgin to keep them, to wait them, to watch them,
 On ben, on glen, on plain,
 On ben, on glen, on plain.

II.

Arise thee, Bridget, the gentle, the fair,
 Take in thine hand thy comb and thy hair ;
 Since thou to them madest the charm,
 To keep them from straying, to save them from harm,
 To keep them from straying, to save them from harm.

III.

From rocks, from snow-wreaths, from streams,
 From crooked ways, from destructive pits,
 From the arrows of the slim fairy women,
 From the heart of envy, from the eye of evil,
 From the heart of envy, from the eye of evil.

IV.

Mary Mother ! tend thou the offspring all,
 Bridget of the white palms ! shield thou my flocks,
 Columba, beloved ! thou saint of best virtues,
 Encompass the breeding cattle, bestow thy protection on the herds.
 Encompass the breeding cattle, bestow thy protection on the herds.

XCIX.

RANN BUACBAILLEAC.—THE HERDING RUNE.

Alexander
Carmichael.

This parting blessing used to be sung by old people in South Uist when sending their cattle away to the pastures in the morning.

I.

Siubhal beinne, siubhal baile,
Siubhal gu re fada farsuinn ;
Buachaille Mhic De m'ar casaibh,
Gu mu slan a thig sibh dachaidh,
Buachaille Mhic De m'ar casaibh,
Gu mu slan a thig sibh dachaidh.

II.

Comraig Dhia agus Chalum-Chille,
Bhith m'ar timchioll a fabh 's a tilleadh,
Agus Banachaig nam basa-min-gheal,
Bride nan or-chiabh donn !
Agus Banachaig nan basa min-gheal,
Bride nan or-chiabh donn !

HERDING RUNE.—CLOSE TRANSLATION. ADDRESSED TO THE CATTLE.

I.

Travel ye moorland, travel ye townland,
Travel ye gently far and wide,
God's Son be the Herdsman about your feet,
Whole may ye home return.
God's Son be the Herdsman about your feet,
Whole may ye home return.

II.

The protection of God and of Columba,
Encompass your going and coming ;
And about you be the milkmaid of the smooth white palms,
Bridget of the clustering hair, golden brown.
And about you be the milkmaid of the smooth white palms,
Bridget of the clustering hair, golden brown !

TALADH NAM BANACHAG.—THE LULLABIES OF THE MILKMAIDS.

These lullabies are sung by the milkmaids of Uist to soothe their cows. They are varied in tone and measure, while not infrequently these change in the same song to suit the different actions of milking.

The cows become so accustomed to these milking lilt that they will not give their milk without them ; nor, occasionally, without their own favourite airs. Hence a milkmaid

'Who has no music in her soul'

succeeds but indifferently among a fold of Highland cows. Owners of stock prefer as milkmaids those who are possessed of some voice and 'go' to please the cows, this being to them a matter of considerable importance.

BANACHAIG NAM BO.—THE MILKMAID OF THE COWS.

XCIX.

The following air, one of many, is sung by milkmaids in South Uist as they milk their cows.

Alexander
Carmichael

I.

O m' adhan ! ho m' adh min !
M' adhan cri', coir, gradhach,
An' ainm an Ard-Rìgh,
Gabh ri d' laogh (1) !

II.

An' oidheche bha am Buachaille muigh,
Cha deachaidh buarach air boin,
Cha deachaidh geum a beul laoigh,
A caoineadh Buachaille chruidh !

III.

Thig a Mhoire 'us blith a bho,
Thig a Bhrìde 's comraig i ;
Thig a Chalum Chille chaoimh,
'Us iadh do dha laimh mu m' bhoin !

IV.

Mo bho lurach dhugh, bo na h-airidh,
Bo a bhathaiche ! mathair laogh !
Luban siamain air crodh na tire,
Buarach shìod air m' adhan gaoil !

V.

'Sa bho dhugh sin ! 's a bho dhugh !
'S ionan galar doimhs 'us duits—
Thus a caoidh do cheud laoigh caoin,
Mise 'us m' aona mhac gaoil fo'n mhuir !
Mise 'us m' aona mhac gaoil fo'n mhuir !

(1) Occasionally a calf dies, and the mother cow is restive, and will not give the milk. To quiet her, and obtain her milk from her, the skin of her dead calf is placed on a skeleton frame calf, made for the purpose. This is placed before the cow, and the deception has the desired effect. The skin, however, must be that of the cow's own calf. That of another cow's calf, however much like her own in colour and size, is disdainfully tossed aside and kicked away by the cow.

In wooded districts, where rods are got, the frame calf is made of wickerwork. This sham calf is variously called Laoicìonn, Loircean, Lulagan, Tulgan, and Tulachan. The first two names refer to the skin and appearance of the sham calf, while the last three names refer to the rocking, fretting motion of the calf when sucking under its mother. A boy near moves the tulachan now and again, to make the cow believe that all is right, while the maid is busy the while taking away the milk from the pleased cow! This is the origin of the term 'tulchan,' as applied to a bishop who draws the stipend but does not perform the work of a bishop—a term sufficiently known in Scottish ecclesiastical history.

XCIX.

Alexander
Carmichael

THE MILKING SONG.—CLOSE TRANSLATION.

I.

O ! my heifer, ho ! my gentle heifer,
My heifer so full of heart, generous and kind.
In the name of the High King,
Take to thy calf (1).

II.

That night the Herdsman was out,
No shackle went on a cow,
Nor ceased a low from a calf,
Wailing the Herdsman of the flock.

III.

Come Mary (Virgin) and milk the cow ;
Come Bridget and encompass her ;
Come Culum Cille, the beneficent,
And wind thine arms around my cow.

IV.

My lovely black cow, thou pride of the shealing !
First cow of the byre, choicest mother of calves !
Wisps of straw round other cows of the town land,
But a shackle of silk on my heifer so loved.

V.

Thou black cow mine ! own gentle black cow !
The same disease afflicts thee and me ;
Thou art grieving for thy beautiful first calf !
And I for mine only beloved son under the sea !
And I for my only beloved son under the sea !

' One touch of Nature makes the whole akin.'

TALADH NA BANACHAIG.—THE MILKMAID'S LULLABY.

The following poem is interesting from the three chiefs introduced at the end. Although these lulls were meant only to soothe and quiet the cows in being milked, they yet show, unconsciously, much that is interesting of the past, if not of the present, life of the Highlands and Islands.

Fonn.—Ho m' adhan ! ho m' adh min !
Ho m' adhan ! ho m' adh min !
Ho m' adhan ! ho m' adh min !
A chrigheag chri, is toigh lom thu.

Fhaic thu bho ud air an liana,
'S a laogh mear aic air a bialaobh
Dean thusa mar a rinn i chiana
Thoir am bain a laoigh na Fianaich
Ho m' adhan, &c.

II.

Thoir am baine bho dhonn !
 Thoir am baine gu trom 's gu torrach
 Thoir am baine bho dhonn,
 'S na h-uaislean a tigh'nn an bhaile
 Ho m' adhan, &c.

III.

Thoir am baine bho dhonn !
 'S gu'n ann daibh ach an t-aran !
 Thoir am baine bho dhonn,—
 Macneill ! Macleoid ! MacAilean !
 Ho m' adhan.

THE MILKMAID'S LULLABY.—CLOSE TRANSLATION.

Chorus.—Ho my heifer ! ho my heifer fair !
 Ho my heifer ! ho my heifer fair !
 Ho my heifer ! ho my heifer fair !
 Thou heartling, heart I love thee !

I.

Behold that cow on the plain,
 With her frisky calf before her ;
 Do thou as she did a while ago—
 Give thy milk thou calf of Fianach.
 Ho my heifer, ho my heifer fair.

II.

Give thy milk brown cow,
 Give thy milk so abundant and rich ;
 Give thy milk brown cow,
 And the gentles coming to the townland.
 Ho my heifer, &c.

III.

Give thy milk brown cow,
 And that there is nothing for them but bread.
 Give thy milk brown cow,
 Macneill ! Macleod ! Clanranald !
 Ho my heifer, &c.

MAR CHIBEIN NAN STUAGH.

The following verses are said to have been composed in Benbecula in the time of bows and arrows. They are singularly chaste, beautiful, and elevated. They indicate, I think, the wonderful natural refinement of the people who could appreciate, preserve, and repeat these, and whole libraries of similar oral literature, throughout the past ages.

The oral literature of the Highlands and Islands is singularly pure in tone and poetical in expression. I have taken down large quantities of this literature, probably a small library in the mass, and I have never heard, either in this or among the people, an unbecoming word or an impure story.

XCIX.
Alexander
Carmichael

I went much among the very poorest of the people, among a people whose pinched features betrayed their poverty, yet during nearly seventeen years in Uist I was never once asked for charity. Their proprietor in South Uist, the late Mr John Gordon, did not exaggerate when he said—'The Uist people are all born gentlemen—every man of them.' Yet, these are the people so often misrepresented, and sometimes so cruelly maligned by men who do not know them.

The Uist people are excellent workers, and for the farming best adapted for their country infinitely before the best farming representatives that have been brought against them from the south. All these successively have had to adopt the native system of farming, after proving the unsuitableness of their own.

I.

Mar chirein nan stuagh uaine, ta mo ghaol,
A h-eugasg tlath, mar dhearsa speuran ard;
Mar sheudan loinneireach, a da shuil chaoin;
Mar arradh air bharr sleibh, fo ghrein nan trath.

II.

O ! càit am facas bean is aille snuagh,
Cà'm facas riabh air cluain, le ceumaibh sèimh,
Do shamhuil fein, a gheug nam mìle buadh,
Mar chlacha, a buadha, 'san or is aille sgèimh !

In the following translation I have endeavoured to adhere closely to the original.

THE WHITE CREST OF THE WAVE.

I.

To the white crest, of the green wave, I liken my love,
Her countenance warm, like the beaming sky above:
Like brilliant jewels, are her two blue sparkling eyes,
Like the glancing sunbeams, all radiant from the skies.

II.

Oh ! where has e'er been seen, a lovelier form or face ?
On lawn, or plain, or field, of statelier mein or grace !
Thou branch of thousand beauties, in thy pride of beauty's joy,
Thou gem in purest gold, yea, gold without alloy !

C

EXTRACTS from Books Illustrating Statements in REPORT.

C.

TENURE OF THE LAND.

Tenure of the
Land.

The land occupied by the members of the clan was divided into townships or farms, each township consisting of a certain portion of arable land, meadow, green pasture, and muirland.

These farms or townships were occupied in three different ways. They were either possessed by the tacksmen or goodmen themselves, in which case they kept on them a number of cottars, to each of whom they gave a house, grass for a cow or two, and as much ground as would sow about a boll of oats; or they were possessed by sub-tenants to whom the tacksmen sublet the whole or a part of the farm, or else they were held direct from the proprietor in joint tenancy by a number of tenants. These tenants and sub-tenants formed a sort of village community, having their houses together, holding the arable land in runrig, which was divided annually by lot among them, and the pasture land in common, each tenant being entitled to pasture a certain number of cattle, sheep, and horses, in proportion to his share of the arable land, which was termed his souning and rouming. In most cases the land was held on what was called a steelbow tenure, when the stock on the farm was the property of the landlord or tacksmen, and was let along with the land, and at the end of the lease the tenant or sub-tenant had to return an equal amount of stock or pay the difference. In the Western Isles there was also a kind of tenancy called half-foot, where the possessor of the farm furnished the land and seed-corn, and the other party cultivated the land, the produce being divided.

The great mountain ranges and the groups of larger hills either formed deer forests or lay waste, and within their bounds were shealings or summer pasture attached to farms, when the contiguous muir was not sufficient for hill stock in summer, and here the cows were brought in summer and kept for six or seven weeks. The peat mosses furnished the tenants of the farms with their fuel.—*Celtic Scotland*, Skene, vol. iii. pp. 369-371.

Note.—The extracts from various sources here submitted bearing upon the social and economical condition of the Highlands, chiefly towards the end of the last century, have been selected to illustrate statements in the text of the Report respecting land. They might be indefinitely multiplied, but without any material advantage. The remarks of travellers, however intelligent, must be received with some hesitation, as their impressions may often have been formed on superficial observation and hasty or partial inquiry, or have been influenced by personal prepossessions and even by transitory circumstances, such as the accidents of the season or the weather. The statements taken from the Old Statistical Account written by the local clergy have of course a peculiar value. These accounts, regarded as a whole, point to a considerable variety in the condition of different localities not very remote from one another

C.
 Fenure of the
 Lind.

There is a large tract of land possessed as a common in Reasay. They have no regulations as to the number of cattle. Every man puts upon it as many as he chooses.—*Journal of a Tour to the Hebrides*, by James Boswell, Esq. London, 1786, p. 163.

Harris.

The whole of this estate, like most of the estates in the Hebrides, is occupied by three different orders of tenants—1st, principal tacksmen or gentlemen; 2nd, small tenants; 3rd, cotters.

The common and ancient computation of lands in these countries is by pennies, of which the subdivisions are half-pennies, farthings, half-farthings, clitigs, &c. Of these a gentleman, according to the extent of his tack, possesses a vast many—perhaps 20 pennies, perhaps many more. This reckoning comprehends muir, pasture, and arable lands, for which the tacksmen pays so much yearly rent in the lump during the currency of his lease. Of this extensive possession he may sublet a third or fourth. Each sub-tenant in Harris generally holds the division of a farthing, for which he pays, according to the supposed value of the lands, from 20s. to 40s. in money besides personal services, rated at a day's labour per week, to the principal tacksmen. The personal services of so many sub-tenants are reckoned indispensable under the present mode of management, in addition to the prodigious establishment besides of cottars and household servants, both male and female, which a gentleman supports in order to carry on the common business of the farm throughout the year. The single article of fuel costs a vast expense of labour. A gentleman, according to the number of fires his farm requires him to keep up, cuts of peats from 30 to 50 irons, and the cutting of an iron employs four men; the drying, stacking, and leading of them home requires an expense of hands in proportion. Repairing of the feal dykes and enclosures, a work of perpetual labour, weeding of corn, making of kelp, reaping of the different crops—hay, barley, oats, and potatoes—in harvest, and the laborious tillage for raising these crops in winter and spring, besides the thatching and repairing of houses, tending and herding of the cattle, cows, horses, and sheep, separately, with a great variety of other processes in this complex system, all require such a multitude of servants, that a stranger is naturally struck with astonishment, and wonders how the produce of the most lucrative farm is able to support the expense of so large an establishment of domestics. If means were adopted for simplifying the mode of management, the gentlemen of Harris would gladly release their sub-tenants from the bondage of personal services, and at the same time find themselves relieved of a heavy encumbrance. They are generally humane and beneficent to those whom Providence has thus placed under them. They are accordingly loved and honoured by them. Under opposite circumstances, the power given them over the inferior order of tenants might justly be deemed oppressive; and while this system is permitted to continue, a proprietor would do well to look to the character of the individual to whom he confides, along with a large portion of his estate, a large portion of its human inhabitants, the most valuable stock, in every moral and political view, which can be preserved on any estate whatever.

It will perhaps excite the wonder of posterity to know that the whole landed possession of the three extensive regions herein described under the title of Harris, was, down to the year 1792, excepting four small tenant farms holding immediately of the proprietor, in the hands of eight gentlemen farmers, on whom all the other inhabitants depend; and that this distribution is so unequally proportioned, that two great farms comprehend more than one-half of the estate.

The principal tacksmen live here, as such generally live through the Highlands and Islands, like gentlemen. They are for the most part men of liberal education and polite breeding. They keep decent and respectable families. Their farms afford them plenty of the necessaries of life, and many of its comforts; for which, as there is no market in the country, there is generally sufficient consumption found in the family through the largesses of hospitality, munificence, and charity, for which they are justly celebrated.

C.
Tenure of the
Land.

A small tenant farm is a little commonwealth of villagers, whose houses or huts are huddled close together with too little regard to form, order, or cleanliness, and whose lands are yearly divided by lot for tillage, while their cattle graze on the pastures in common. The small tenants in this country, who hold immediately of the proprietor, have leases like the principal tacksmen, and possess, some a penny, some half a penny, and some a farthing, of lands. The stock or soaming for the pasture of a farthing land is four milch cows, three or perhaps four horses, with as many sheep on the common as the tenant has luck to rear. The crops vary according to the different qualities of the farms, but may be computed in general at 4 or 5 bolls a farthing, for which the tenant generally pays from 30s. to 40s. rent. This might be reckoned good pennyworth of lands; but when it is considered that the cattle of these tenants, miserably fed throughout the year, and often dying through mere want in the spring season, are neither marketable nor yield much milk, besides that their crops are commonly insufficient to support their families for half the year, the poverty of this class of people in general is easily accounted for. At the same time most of them live as well as people of their rank and occupation in other countries; and some more happily situated than others live even in a comfortable style. In regard of living, the tacksmen's tenants are on much the same footing with those who hold the same quantity of land of the proprietor, though in most instances they pay more rent, and are removable at pleasure. Their common food is potatoes, fish, barley or oat bread, milk, eggs, kail, fowls, and sometimes a little mutton or beef salted for winter and spring provision. The industrious tenant, even of a farthing land, if not unfortunate, can have of all these a competency suited to his rank, from the various produce of his little farm, from the first of harvest to the last of the spring season, and may pay his rents by his earnings at summer labour, either in manufacturing kelp or engaging in such other employ as he can procure. He may either purchase from a merchant, or rear on his own ground, some coarse flax, which is manufactured into shirts and other linens, for the use of the family, by his wife and daughters as their winter evenings' amusement. In the same manner is he clothed warmly and decently from the fleece of his little flock.

The third class of the people, whom we have denominated cotters, are tacksmen's servants, constantly employed in the labours of the farm. They have generally grass, on the same pasture with their master's cattle, for one milch cow with its followers, *i.e.*, a three year, a two year, and one year old, a working horse and breeding mare, besides sheep, in the number of which they are seldom restricted, and a farthing division of land for corn and potatoes, with its proportion of sea-ware for manure. They have also a kail-yard, fuel, and a weekly allowance of a peck of meal. They are allowed a day in the week to work for themselves, which, with the help of their families is sufficient for raising and repairing their crops. A grieve, overseer, and grass-keeper, if married men, and holding lands in lieu of wages, have more in proportion to the weight of the several charges committed to them. Having no rents to pay, and being seldom under the necessity of buying meal, unless the harvest prove very bad, they live on the whole better than the tenant of a farthing land.—*Old Stat. Account*, vol. x. p. 366.

South Uist.

C.
 ←
 Tenure of the
 Land

The tenants may be divided into two classes—(1) the gentlemen farmers or tacksmen, who possess one or more farms each; and (2) the small tenants, a number of whom live together in a farm, according to the value and extent of it. The division of tenants into these two classes is not peculiar to this parish, but extends to all the Western Islands and the adjacent parts of the continent. The first of these classes, namely, the gentlemen farmers, are, for the most part, the descendants of the different branches of the families of the chieftains, on whose estate they live. Of old, when the chieftains lived upon their own estates, and had no encouragement to send their younger sons as adventurers to a foreign land, they planted them about them upon their own properties, and gave them portions of land for small rents, which were continued with their descendants from one generation to another. At the expiration of one lease another was granted nearly upon the same terms. The present set of gentlemen farmers in this parish are, though few in number, men of a liberal education, who would be an ornament to society even in a more public part of the kingdom. They are renowned for their hospitality, which the strangers who travel through the country can attest, and which they find very convenient, there being no inns or public houses for their accommodation.

The second class of tenants have the lands divided into small portions among them. The division of farms is into pennies, half-pennies, and farthings. The greatest part of this class of tenants possess half a penny each, some one-third of a penny, and some one-fourth or a farthing lands. All the cattle on the same farm feed in common, each tenant being restricted to a certain number, according to his division of lands. The state of this class of tenants will best be illustrated by an instance, so that when the incomes and expenses are compared, a discovery will be made on which side the balance lies. A tenant possessing half a penny lands, if he has any grown-up children to assist him, will, by manufacturing kelp, make about £6 sterling yearly. He has six cows, that is to say, as many great and small as will be equal to six grown-up cows. Three of them will probably be milch cows. One of their calves will be killed in order to have two of the cows coupled; another will be supposed to die by accident, or through want, before the time it should be fit for the market, so that this man has only one cow yearly to dispose of, for which he may be allowed to draw £2, 8s. at an average, and which, added to the £6 above mentioned, will amount to the sum of £8, 8s. This is his whole yearly income, having nothing else that he can turn into money. On the other hand, this man pays £5, 4s. for rent, including public burdens. As he must keep six horses, he will be under the necessity of buying one every second year, at the average price of £3, 10s., which makes £1, 15s. a year. Though in an extraordinary good year, his lands may supply his family with meal, yet he is for ordinary obliged to buy that necessary article, so that matters are not exaggerated when it is said that he buys 1 boll a year, at the average price of 17s. From this statement this tenant has only a balance of 12s. in his favour, for the purpose of buying all his other necessaries, such as timber for keeping his houses, implements of husbandry, and perhaps boat, in repair; for buying iron, tar, spades, flax, and several other articles that a tenant has occasion for throughout the year. This man, therefore, will either fall in arrears to the proprietor, or become indebted to those from whom he buys his necessaries; so that if the proprietor's chamberlain should be rigorous in taking up the rents, and others in exacting their lawful debts, many such would find themselves much distressed.

—*Old Stat. Account*, vol. xiii. p. 309.

Glenshiel.

C.

In the parish (Glenshiel) are 17 farms, each of which, with the exception of two, is occupied by a number of tenants, so that each farm forms a village. The tenants graze their cattle promiscuously, each restricting himself to a number of heads, proportioned to his rent; and the arable ground they occupy in like manner T nure of the
Laud.

It does not always happen that the farm is equally divided among the occupiers; and when one man's division is not large enough to enable him to keep as many horses (which is always four, and they never use oxen) as are sufficient to draw the plough, two or more of them join.—*Old Stat. Account*, vol. vii. p. 125.

The tacksmen lived comfortably as gentlemen: the sub-tenants, or farmers, lived decently in their huts, grouped, it is true, with but little regard to cleanliness, or much comfort, forming, as it were, a community, in which their privileges and rights were scrupulously respected and maintained; and while their live-stock grazed in common beyond the head-dykes, and through the upland pastures in summer and autumn, their arable lands were divided yearly by lot, as already noticed; and thus the whole demesnes of the chief, or common father, was apportioned, according to the rank or condition of each individual of the miniature commonwealth;—a mode the most congenial with the patriarchal system; and the best adapted for a peculiar people, such as the Gael, or inhabitants of the Hebrides and Grampian districts.—*The Grampians Desolate*, a poem, by A. Campbell. 1804. Notes, pp. 169, 170.

SERVICES TO PROPRIETORS AND TACKSMEN.

Services to
Proprietors
and Tacksmen*Reay, Sutherland.*

There are personal services performed by tenants and undertenants with their labouring cattle in the parish of Reay from time immemorial, but are abolished in some parts of the parish being converted to money rent. On some estates and farms they are limited, on others unlimited, or discretionary on the master's part. The unlimited services are carried to a great extent, and it is to be regretted that a long custom with other circumstances has rendered that thralldom less odious to those who in other respects are of benevolent tender feelings and an obliging disposition. In such cases, though the tenants or undertenants make a shift to perform the services demanded, they would find it impossible to pay an equivalent in money were they converted. The limited services are not established by a general rule, and therefore vary on different estates and tacks. A tenant of a penny land on one estate performs three days in spring with his cattle, five days' shearing, and leading with horses every leading day, and mealing 16 bolls of oats. A tenant of a penny land on another estate is bound to perform twenty-four days in spring with labouring cattle, twelve days in harvest, and leading every leading day, and mealing 20 bolls of oats. Cottagers who possess little more than one-eighth part of a penny land perform services three days every week in spring and harvest, and one in the week during summer and winter. The tenants or undertenants are bound to perform these services every day their master is pleased to call them, perhaps from twenty to one hundred and twenty days in the year. The nature of these services is ploughing and manuring with their own cattle, weeding,

C.
Services to
Proprietors
and Tacksmen

growing corn, cutting, leading with their own cattle, and building corn, mealing corn, cutting, curing, and leading hay, carrying victual to a seaport, in ordinary to Thurso from six to eight computed miles distance, or to any distiller in the country, cutting, curing, and leading peats which is done by the piece, and running expresses, but not frequently. If a well esteemed master falls behind in his spring or harvest work, his tenants lend him their work voluntarily beyond their limited services when in their power. Services are still performed, though moderately, where they have been converted many years ago. Notwithstanding the conversion, money is still paid as a part of the rent. Hence it appears that nothing but a prohibitory law can abolish this practice. As the tenants and undertenants are generally in straightened circumstances, it would be difficult to derive a method of abolishing services without considerable sacrifices being made by superiors. But were the tenants by a little relaxation brought to easier circumstances, and their own labour under proper management applied to the improvement of their farms, there is little doubt but the consequence would be advantageous to the landlords, and ready payments made more effectual.—*Old Stat. Account*, vol. vii. p. 577.

Edrachyllis.

Lord Reay exacts no services for his own particular behoof from the people of this parish, which lies at a great distance from his own seat at Tongue; yet that is not the case with respect to the tacksmen. They parcel out among poor people or undertenants such farms and outskirts of their possessions as they do not labour for their own immediate behoof, upon condition of their paying the full rent of their different small holdings, and some other small items; besides these the subtenant engages to perform such and such services by sea and land as their master's affair may require; especially in harvest and spring they must be ready at a call to do what work may be assigned them, and as they have no lease for their possession, the master's orders cannot be disputed but at the risk of being turned out at the term, when with the character of being refractory, no other tacksmen will be ready to receive them, and they must be set adrift, which is a dreadful situation to a poor man with a wife and family.—*Old Stat. Account*, vol. vi. p. 300.

Tongue.

These services were thought a very great grievance, as the tenants were obliged to perform them at the time they should have been employed in cultivating their own farms. To work without maintenance for their employer from morning to night at the distance of several miles from their respective homes, they justly deemed cruel and oppressive, and a violation of the precepts of religion, of justice, and the rights of men.—*Old Stat. Account*, vol. iii p. 528.

Such tacksmen as have subtenants employ them in spring and harvest too frequently to cultivate their land to the almost utter neglect of their own small farms. To abolish this species of slavery (which is doubtless in the power of every proprietor when giving leases), would surely be a patriotic act by which a great number of worthy people would be emancipated from a degree of bondage almost equal to that of the negroes in the West Indies. There are indeed some few exceptions. Some tacksmen are kind and benevolent, and support their subtenants in calamitous times, but the generality naturally

prefer their own interests to every other consideration.—*Old Stat. Account*, vol. iii. p. 529.

Formerly the personal service of the tenant did not usually exceed eight or ten days in the year. There lives at present at Scalpa, in the Isle of Harris, a tacksman of a large district, who instead of six days work paid by the subtenants to his predecessor in the lease has raised the predial service, called in that and in other parts of Scotland, *manerial bondage*, to fifty-two days in the year at once, besides many other services to be performed at different though regular and stated times,—as tanning leather for brogues, making heather ropes for thatch, digging and drying peats for fuel, one pannier of peat charcoal to be carried to the smith, so many days for gathering and shearing sheep and lambs, for ferrying cattle from island to island and other distant places, and several days for going on distant errands, so many pounds of wool to be spun into yarn. And over and above all this, they must lend their aid upon any unforeseen occurrence whenever they are called on. The constant service of two months at once is performed at the proper season in the making of kelp. On the whole, this gentleman's subtenants may be computed to devote to his service full three days in the week. But this is not all, they have to pay, besides, yearly, a certain number of cocks, hens, butter, and cheese, called Caorigh-Ferrin, the wife's portion. This, it must be owned, is one of the most severe and rigorous tacksmen descended from the old inhabitants in all the Western Hebrides; but the situation of his subtenants exhibits but too faithful a picture of the subtenants of those places in general; and the exact counterpart of such enormous oppression is to be found at Luskintire.—*Buchanan's Travels in the Western Hebrides*, pp. 53, 54 (1793).

C.
Condition of
the Country
and People.

The poor Hebrideans are on foot every morning at five o'clock at latest,—the women at their querns or hand-mills, the men at some other piece of employment, until day-light invites them into the field, or to the sea shores, where they must begin a set task of cutting sea-weed with the ebbing of the tide. They are obliged to work as for life or death that they may be able to get their quantity of sea-weed carried clear off. If, when they are on work for their master, whether laird or tacksman, they should be an hour behind the time fixed for making their appearance, they are instantly trounced home, with orders to be there more early the next morning. No apology will be admitted: neither the inclemency of the weather, nor the height nor ruggedness of the hills they had to cross, nor an accident by the road, nor the loss of that day, to those who have so few they can call their own very precious. All goes for nothing. The interest, the will of the master must be attended to, not theirs. To all this severity the unfeeling tacksman often adds cruel mockings and imprecations.—*Buchanan's Travels in the Western Hebrides*, pp. 55, 56 (1793).

Lismore and Appin.

Some tenants go from this island to the mainland to perform the services at the distance of eight or nine miles. They devote at least six or seven days yearly to their master's or landlord's service in this way, and they get some allowance, for the most part to support them while performing their work. This is over and above two or three days that some of them work yearly abroad. Some proprietors in neighbouring parishes carried these services to a shameful, not to say oppressive pitch in obliging their tenants and cottagers to cut, stack, and house their peats, and to find their own provisions all the time. This is one of the innumerable grievances occasioned by the heavy coal duty.

Old Stat. Account, vol. i. p. 496.

C.
 Services to
 Proprietors
 and Tacksmen.

Did the subtenants hold their small possessions by a more certain tenure, and enjoyed them by a lease from the landlord, there would be a far greater appearance of industry among them than there is at present; but their precarious situation must continue, as it has hitherto been, an effectual discouragement to every improvement of the soil. Their subjection to the tacksman or farmer, on whose ground they live, leaves them no more time than what is barely sufficient to support themselves and their families in life. The tacksman generally has one day in the week of the subtenant's labour the year round, which, with the spring and harvest work and other occasions, will amount to more than a third of his whole annual labour. He can therefore have neither ability nor opportunity to attempt any improvement, which many of those subtenants would undoubtedly do, were they but masters of their time and independent in their possessions.—Walker's *Economical History of the Hebrides*, 1812, vol. i. p. 54.

A subtenant who pays in rent only 30s. a year, will pay sometimes to the tacksman, in the above casualties and services, to the value of £3 yearly—the whole amounting to £4, 10s. But for such a possession, was he freed from these incumbrances, he would willingly pay £6 or upwards. Beside the rent and these casualties and services, the subtenant sometimes pays so much a piece for every head of black cattle, horses, or sheep in his possession. The labour also required of him is not always restricted to a certain number of days in the year, but at particular seasons his services are demanded without any limitation. This state of servitude disconcerts him in his labour. Being at the call of another person, he can never depend upon having anything done in proper time upon his own farm. On the other hand, it is impossible that the tacksman's work can ever be properly executed by people in this situation, employed in another person's harvest, while their own is neglected, and a great part of whose labour must be lost, by being mistimed and misplaced. All parties, and especially the landlord, must therefore suffer by this method of management.—*Ibid.*, p. 80.

While the poor men and their families are thus employed upon the business of their superiors, and for which they receive neither money nor provisions, their own affairs lie neglected, and their little crops rot upon the ground; yet the rent must be paid, or they must turn out to make room for others.—*A Tour through the Highlands of Scotland in 1786*, by John Knox. London, 1787, p. 87.

Condition of
 the Country
 and People.

CONDITION OF THE COUNTRY AND PEOPLE.

Ederachylles, Sutherland.

Notwithstanding the ruggedness of the ground, and the wild appearance of this country, scarce any place affords a more commodious habitation to poor people, if there be any such in it. For upon a farm of 20s., and sometimes only 10s., many families want none of the necessaries of life, having bread and potatoes, fish and some flesh, wool and clothing, milk, butter and cheese, all the fruit of their own industry and produce of their farms. Their fuel they have also good and on easy terms, every farm having plenty of peat mosses free to all.—*Old Stat. Account*, vol. vi. p. 278.

Duthil.

F

C.

They are extremely industrious, more properly laborious, in the cultivation of their possessions, superstitiously treading in the footsteps of their ancestors, disregarding every new mode of improvement, in which, unfortunately, this country is not singular. To emancipate from a prejudice so universal and deeply rooted, will require strong and uncommon exertions. The efforts of a native have hitherto had so little effect that they only serve to verify 'That a prophet has no honour in his own country.' The only effectual mode would be, by one or more strangers of experience settling in such districts, as a necessity of this kind requires. Though proprietors, for a number of years, should give the highest encouragement, the advantage in time would be immense. Until of late, the people were very fond of a military life; but the wages of servants increasing so exceedingly, that spirit is almost totally overcome. Formerly none would enlist but in the Highland corps. Bounty money now determines the choice. The people are sufficiently economical, yet extremely hospitable and well-disposed. They enjoy the comforts and advantages of society, as much as an inland country, a severe climate, will admit of. The situation of the parish in 1782 and 1783 was truly distressing. Had it not been for Government bounty and Sir James Grant's large supplies from distant countries, the poorer class of people would have perished. So great was the destruction of the crop in 1782, by the frost setting in so early as the month of August, that the most substantial corn, which was sent to some of the mills in this parish, was a crop of wild oats from a piece of ground which had been ploughed but not sown. From various observations made upon this kind of grain, it appears to be a spontaneous production; so that should oats, by some calamity, be swept off from the face of the earth, it might be regained by a proper cultivation of this species of grain, offensive as it is.—*Old Stat. Account*, vol. iv. p. 315.

Condition of
the Country
and People.

Kintail.

A great change has certainly taken place in the worldly circumstances of the people since the last statistical account of this parish was drawn up. Then almost every respectable householder paid rent to the laird, and all were in easy, happy, and comparatively affluent circumstances. The contrary is now too often the case. Rents were raised, the people became poor, they were either deprived of or voluntarily gave up their possessions, and many who then were in good circumstances, with from six to ten and even sixteen milch cows, with horses, goats, sheep, &c., have since died in poverty, or now live in penury; and yet, *strange as it may seem, in manners and dress there is the greatest improvement.*—*New Statistical Account*, 1836, Ross and Cromarty, p. 179.

Glenshiel.

The period that preceded and succeeded this last era (1745), so important in the history of the Highlands, seems to have been one during which the inhabitants of this parish enjoyed a large measure of prosperity. It is still referred to as a species of golden age, and after making every necessary allowance for the fondness with which it is natural that the memory of better times should be cherished under the pressure of present misery, it is likely that the people during the period in question possessed in a high degree the substantial comforts of life. Secluded by their inaccessible position from the turmoil of general society, enjoying to a considerable extent, in virtue of their high

C.
Condition of
the Country
and People.

character for prowess, security of life and property; and holding their lands on such terms as admitted of their consuming among themselves a large proportion of the produce, they passed their days in peace and comfort, alike free from the drudgery of labour and the privations of indigence.

The valuable and respectable class of substantial tenants has been entirely swept away; such of their number as did not emigrate to America having sunk to the rank of cottars or cottars upon the large farms, are crowding along the shores of the loch, dependent for their subsistence upon the laborious and uncertain pursuit of the herring fishing, or the still more fatiguing, precarious, and pernicious practice of smuggling.

It cannot be said with truth that the class of people of which the great majority of the population consists enjoy the comforts of life even in a moderate degree. Poorly fed, scantily clothed, and miserably lodged, their's is a life of penury and toil. Exposed to the temptations of idleness without its ease, and to the slavery of labour without its rewards, they drag out a wretched existence, suffering under the continual fear of impending want, and uncheered by any prospect of amendment in their condition.—*New Statistical Account*, 1836, Ross and Cromarty, pp. 196, 198, 200.

Barra.

The tenants pay their rents by manufacturing kelp and sale of their cattle. The proprietor employs a number of them in making kelp upon his farm, for which he pays from £1, 10s. to £2, 2s., and for the kelp made upon their own shores, which he also has at his own disposal £2, 12s. 6d. the ton, which is the highest manufacturing price given in the Highlands, so far as I know. So that from the sale of their cattle and making of kelp, the people live very easy, excepting in bad years, when there is a scarcity of bread, they are under the necessity of buying low country meal.—*Old Stat. Account*, vol. xiii. p. 331.

Kilmore and Kilbride.

In respect of the circumstances of the people, three small villages of tolerable black farm houses were almost wholly stocked with inhabitants consisting of tenants and cottagers. The rents being then very moderate, the people lived comfortably in their line, though on simple fare and in homely clothing; but since that period, the rents having been doubled, nay, in some parts trebled, and many of their possessions have been taken by the more opulent, the lower tenants were of course obliged to remove and shift for themselves. The aged, the feeble, and the poorer sort became cottagers, but the most vigorous and by far the greatest number engaging in the public works that were carrying on over the country, to a very great extent found means to subsist more comfortably.—*Old Stat. Account*, vol. xi. p. 135.

Abernethy and Kincardine.

What they complain of chiefly is the method followed in letting their farms when their leases are expired. It is seldom that the tenants are called on to renew till within a few months of the term of removal, and then, perhaps, left for years in suspense before they are settled with, and tried for some addition every year, and every year receiving a summons of removal. The offers received are generally kept private; and when they get a lease, it is only for fifteen or nineteen years, which they think too short. The effects of this method are very bad, both for master and tenant: for during the last two

or three years of the lease they are under apprehensions of being removed, and of course plough up what they ought not, or would not, if they were certain of continuing, and all this while careless about the repairs of their houses and buildings. By these means they either hurt themselves, if they continue, by renewing, or their successor if they remove, and the proprietor's interest in either case. Besides that, while people are kept long in suspense, it occasions much unhappy anxiety and restlessness of mind.—*Old Stat. Account*, vol. xiii. p. 145.

C.
Condition of
the Country
and People.

Kingussie.

From the foregoing circumstances, the poverty of the inhabitants may be inferred as an unavoidable consequence. An aversion to labour, combining with local disadvantages and feudal oppression, cannot fail to render a peasantry poor, dispirited, and comfortless. To say the truth, the wretched appearance of numbers of them is a sufficient proof of the hardships they endure. A few individuals, perhaps, in the rank alluded to, may be found who are easy and affluent; but whoever is at pains to examine minutely the condition of the bulk of the people—to view the mean, ill-constructed huts in which they reside,—and to consider the scanty and precarious crops on which they depend in a great measure for subsistence, will be far from thinking that the picture of their misery is drawn in exaggerated colours.—*Old Stat. Account*, vol. ii. p. 39.

Applecross.

In every country where leases are from year to year, and in which there is no independent occupation in trade or manufactures; much of the character of the people must depend, either on the virtue or the caprice of their superiors; for though local jurisdictions be abolished, there is still a species of despotism remaining, by which the displeasure of the superior is equivalent in its effects to the punishments of the law.—*Old Stat. Account*, vol. iii. p. 375.

The local attachment of the Highlanders, hath, for some time back been gradually abating. The influx of money, and their communication with other countries hath introduced a desire for better living; and the rapacity of the superiors, in applying all the advantages of the times to their own private interest, hath effectually released those attachments. The increasing population of the country at large is favourable to the interested views of the proprietors. For every farm, a multitude of candidates is ready to appear, and the culture of the ground, being the sole occupation of the inhabitants, the disappointed have no other option but either to emigrate or beg.—*Old Stat. Account*, vol. iii. p. 377.

North Uist.

The sense of grievances, whether real or imaginary; the fear of having the fruits of their industry called for by their landlords, many of whom think they have a right to the earnings of the tenants, except what barely supports life; the want of employment for such as have no lands to cultivate; the encouragements held out to them by their friends, who are already settled in that country, of living in a state of much greater affluence with less labour; and the facility of procuring a property for a small sum of money, the produce of which they can call their own, and from which their removal does not depend on the will of capricious masters,—these are the principal motives that determine people now to emigrate to America, without at all attending to the

C.
Condition of
the Country
and People.

difficulties and discouragements in their way, arising from the danger they must encounter in crossing the seas; the expense and trouble of removing with their families some 100 miles from shore, for the benefit of enjoying the society of their friends, who have gone before them; the inconvenience of buying all their necessaries, till such time as they are enabled to live by the fruits of their own labour, and the disagreeable effects that a change of climate may have on their healths and constitutions.—*Old Stat. Account*, vol. xiii. p. 317.

Harris.

Means by which the situation of the people might be meliorated.—The inhabitants of Harris can never rise to a comfortable degree of prosperity, till they learn to avail themselves of the natural advantages of their local situation. It is evident from the foregoing account, that in cultivating the barren land, they strive against nature to force a miserable pittance from the earth, while in another element she presents her treasures to enrich them. Were a judicious selection made of proper stations on the sea-coast, for prosecuting the fisheries, and manufactures established for constant employ to the fishermen's families, and in the intervals of the fishing to themselves, a foundation would be laid for a progressive system of industry, which, under the vigorous direction of an enlightened proprietor, and cherished by the fostering hand of a beneficent Government, might, in a few generations, prove no inconsiderable accession to the commercial interest of the British Empire. But these are ideas of a consummation devoutly to be wished which, in present circumstances, some may think chimerical even to mention, and which we are by no means sanguine in our expectations of seeing it brought into a promising train of commencement. In the meantime a proprietor, of a liberal mind, more ambitious to provide for the future aggrandisement of his family fortune than solicitous to squeeze from his tenants a temporary supply to his coffers, ought never to lose sight of this object, and should endeavour gradually to prepare the people for its accomplishment in due season. Before the renewal of leases, a well-digested scheme of the most rational and practicable improvements should be laid down, with the approbation of sensible people acquainted with the country and zealous for its good. The lands should be given to substantial tenants, specifically bound, by the tenor of their tacks, to co-operate with the proprietor, on terms of mutual equity, in bringing this salutary scheme into execution. Little, it is true, can be done to improve the lands in general, yet something may. Sufficient encouragement should be given to each tacksman to enclose and cultivate, to the best advantage, the few arable spots, or such as may, by skilful and economical management, be rendered arable, for raising, chiefly, if not wholly, hay and other green crops for provender; while all the rest of the farm, secured at its outmost boundaries, by proper fences, should be laid out for pasture, on which either a good stock of black cattle or of sheep might be reared. There should be either no common, or as little as the nature of circumstances can possibly admit.

The lowest class of people, now, in effect, a burden on the hands of the landholders, an annoyance to one another, in many instances rather a nuisance than useful members of society, in a state of wretched dependence, of inactivity and of want, should be gradually weaned from the clumsy system in use; and taught, instead of labouring for a pitiful subsistence from the scanty and precarious fruits of a sterile soil, to look for a more secure and comfortable maintenance in the profits arising from their manual industry employed in a different line. They might be collected into villages erected for them, on those parts of the coast that lie most contiguous to the fishing grounds. They should be supplied, at a moderate price, in meal, and constantly furnished with the proper materials to work on, both when ashore and

when at sea. They should be free to prosecute the fishing for their own immediate benefit, and made to feel the advantages of working for themselves. They should have little or no land to withdraw their attention from these new pursuits. Thus situated, at first their wants and afterwards their ambition will prompt them to follow the line of industry now pointed out; and if the habits of the people are once formed to it, men of sufficient capital may embark in this design at their head with a fair prospect of success.

The proprietor should, at all times, give ample encouragement to every public institution calculated to extend the means of religious instruction, to educate the rising generation in a knowledge of the elements of literature and rudiments of industry, to reform the habits and remove the prejudices of the people at large, to introduce the arts of civilised life, and to promote the happiness of the community.—*Old Stat. Account*, vol. x. p. 389.

Character of the People.—The rude state of the people, in regard to civil and religious improvement, already represented with fidelity, scarcely requires a comment. It too clearly indicated neglect on the part of those whose interest and whose duty it was to have enlightened them. Their vices are such as must be supposed, among a people professing Christianity, to proceed from difficulty of access to gospel ordinances, and from a total want of police. We would therefore spread a veil over them. They are more than counterbalanced by their virtues, almost the pure fruits of nature. They are sober, docile, sagacious, and capable of industry, were a channel opened to them in which industry might be profitably exerted. They are kind and courteous to strangers, hospitable and charitable even to excess. They have the strongest attachment to their native country, and entertain the most ardent gratitude to benefactors.

An object of the most noble and laudable ambition is presented to a liberal and public-spirited proprietor of Harris, in the emancipation of so many of the human race, possessed of so many good natural qualities, from a state of servitude, ignorance, and sloth.—*Old Stat. Account*, vol. x. p. 387.

Mackenzie of Seaforth is the sole proprietor of all Lewis, a tract of country of, or about seventy miles in length, and twenty miles in breadth, with many fertile islands adjacent. All Lewis is inhabited for the most part by tenants who rent their farms immediately from himself. Mr Mackenzie easily perceived the folly, as well as the inhumanity, of lending out the people on his island to imperious tacksmen for the purpose of raising fortunes to themselves on the ruins of the unfortunate subtenants.—*Buchanan's Travels in the Western Hebrides*, pp. 33, 34 (1793).

The tacksmen who rent from the great proprietors of land large districts, are able in general to rank with gentlemen of from £200 or £300 to £1000 and upwards a year. They are for the most part relations of the families of whom they hold their leases, and many of them half-pay officers of the army. Ministers, too, of parishes have for the most part advantageous leases, of which they make much greater account than of their stipends. There are some of the tacksmen who unite the business of grazing and agriculture with that of trade, and oftener of smuggling. There is not perhaps any part of the world where the good things of this life are more unequally distributed. While the scallag and subtenant are wholly at the mercy of the tacksman, the tacksman, from a large and advantageous farm, the cheapness of every necessary, and by means of smuggling of every luxury, rolls in ease and affluence.

In South Uist the chief tacksmen are, Captain Macdonald, tacksman of Phrobost, son and successor to the laird of Boisdale, whose good qualities he inherits, and particularly a tender concern for the comfort of his subtenants and scallags; the minister of Howmore, who has accumulated several farms on the

C.
Condition of
the Country
and People.

expulsion and ruin of the former possessor ; the tacksmen of Milton, Geary, Vailteas, Staal Gheary, and Borenish-wachir ; and Mr Patrick Nicholson, an industrious farmer and enterprising merchant. Mr Nicholson in his commerce with mankind is as just and upright as any man in his line of life, and in a quarter so distant from the seats of law and government can well be supposed to be. He is a great encourager of the industrious poor ; and, though not a native of the place, is highly and justly esteemed by all ranks of people.

In North Uist, Mr Macdonald Balranald, a very sensible and agreeable man, has greatly improved his farm by draining lochs and converting the ground into rich arable fields. It is to be hoped that his landlord, who, through his well-directed industry, will acquire a considerable accession to his landed property, will reward him at the expiration of his present lease according to his merit.

Another valuable farm in North Uist is possessed by the reverend gentleman of Ty-Geary, who, of all the tacksmen, clergymen, and gentlemen of the Western Isles of Scotland, is the largest and jolliest, as well as one of the most hospitable and the best natured. Never was the minister and tacksmen of Ty-Gheary known to kick, beat, or scourge, or in any shape to lift his hand against his scallags in the whole course of his life. Were he not so well-tempered a man this moderation, not a little unusual in the Western Hebrides, might be ascribed to motives of self-interest, for a few blows, even with his naked fist, would break their bones to pieces, and render them for ever useless to himself or to others.—Buchanan's *Travels in the Western Hebrides*, pp. 38-41 (1793).

Harris, with its dependent isles, contains about three thousand souls, most of them in a state of actual bondage. Mr Norman Macleod, tacksmen of Bernera, when we consider the vast number of his subtenants, servants, and scallags, the farms, with cow-houses, &c., in his own hand, and the kelp made on his numerous rocks and isles, may be reckoned the first tacksmen in the isles, or in North Britain. This gentleman and his lady are both advanced in years. They have three daughters, all of whom will, at the death of their father, be well provided for. Mr Macleod has introduced into his district many new improvements,—as English sheep, and large horses and bulls to mend the breed of cattle, as also jack-asses to breed mules, a hardy kind of animal, and well fitted for labour in a hilly and rugged country. He sows peas, turnips, linseed to advantage. He has introduced the use of carts and sledges into his husbandry instead of carriage on the backs of horses and scallags, and mills wrought by horses instead of the hand-mill or quern. He sets many good examples to his neighbours and tenants, and is, on the whole, a useful and respectable member of society. But he gives himself no trouble about the execution of justice ; he leaves the other tacksmen to treat their subtenants and cottagers with all the freedom and caprice of a Scottish baron before the Jurisdiction Act.—Buchanan's *Travels in the Western Hebrides*, pp. 43, 44 (1793).

The gentlemen in the Western Islands have, many of them, the advantage of a university education. They are commonly connected together by the ties of matrimony, or consanguinity, or otherwise, which makes them firm to one another ; while the commoners are no less united among themselves by similar bonds of friendship in their respective departments.—Buchanan's *Travels in the Western Hebrides*, p. 45 (1793).

The tacksmen and subtenants formerly, or nearly, on an equal footing, were wont to plead their cause on equal terms before a common chief. At present they are obliged to be much more submissive to their tacksmen than ever they

were in former times to their lairds or lords. Formerly they were a free, animated, and bold people, commanding respect from their undaunted courage, and repelling injuries from whatever quarter they came, both by words and actions. But now they must approach even the tacksman with cringing humility, heartless and discouraged, with tattered rags, hungry bellies, and downcast looks, carrying their own implements of husbandry for ten or twelve miles back and forward, over hills and mountains, to do the work of their tacksmen, and must either sit wet in their clothes all night in a dirty kitchen, or sleep in dirty clothes, particularly at Luskintire in Harris, exposed to be trampled on by swine, where the kitchen is commonly the sty. But I must here observe that there is a great difference between the mild treatment which is shown to subtenants, and even scallags, by the old lessees descended of ancient and honourable families, and the outrageous rapacity of those necessitous strangers who have obtained leases from absent proprietors, who treat the natives as if they were a conquered and an inferior race of mortals.—Buchanan's *Travels in the Western Hebrides*, pp. 49, 50 (1793).

C.
Condition of
the Country
and People.

The land is parcelled out in small portions, by the tacksmen, among the immediate cultivators of the soil, who pay their rent in kind, and in personal services. Though the tacksmen, for the most part, enjoy their leases of whole districts on liberal terms, their exactions from the subtenants are in general most severe. They grant them their possessions only from year to year; and, lest they should forget their dependent condition, they are every year, at a certain term, with the most regular formality, warned to quit their tenements, and to go out of the bounds of the leasehold estate. The subtenant, by what presents he can command, or by humble supplications, endeavours to work on the mind of the tacksman, and, on any condition he pleases to impose, to retain a home for himself, his wife and children, for he has no other resource.

It is an invariable custom, and established by a kind of tacit compact among the tacksmen and inferior lairds, to refuse, with the most invincible obduracy, an asylum on their ground to any subtenant without the recommendation of his landlord, or, as he is very properly called in those parts, his Master. The wretched outcast, therefore, has no alternative but to sink down into the situation and rank of an unfortunate and numerous class of men known under the name of scallags.

The scallag, whether male or female, is a poor being who for mere subsistence becomes a predial slave to another, whether a subtenant, a tacksman, or a laird. The scallag builds his own hut with sods and boughs of trees; and if he is sent from one part of the country to another, he moves off his sticks, and by means of these forms a new hut in another place. He is, however, in most places encouraged by the possession of the walls of a hut, which he covers in the best way he can with his old sticks, stubble, and fern. Five days in the week he works for his master; the sixth is allowed to himself for the cultivation of some scrap of land on the edge of some moss or moor, on which he raises a little kail or cole-worts, barley, and potatoes. These articles boiled up together in one mash, and often without salt, are his only food, except in those seasons and days when he can catch some fish, which he is also obliged not unfrequently to eat without bread or salt. The only bread he tastes is a cake made of the flour of barley. He is allowed coarse shoes, with tartan hose, and a coarse coat, with a blanket or two for clothing. It may occur to an English reader, that as the scallag works only five days out of seven to his master, he has two to provide for himself. But it is to be recollected, that throughout the whole of Scotland and all its appendages, as well as in the opposite countries

C.
Condition of
the Country
and People.

of Iceland to the north, and Norway and Denmark to the east, Sunday, or the Sabbath, as it is called in all those countries, is celebrated by a total cessation from all labour, and all amusements too, as well as by religious exercises.—Buchanan's *Travels in the Western Hebrides*, pp. 3-7 (1793).

The huts of the oppressed tenants are remarkably naked and open,—quite destitute of furniture, except logs of timbers collected from the wrecks of the sea to sit on about the fire, which is placed in the middle of the house, or upon seats made of straw, like foot hassacks, stuffed with straw and stubble. Many of them must rest satisfied with large stones placed around the fire in order. As all persons must have their own blankets to sleep in, they make their beds in whatever corner suits their fancy, and in the mornings they fold them up into a small compass, with all their gowns, cloaks, coats, and petticoats that are not in use.

But those farmers who are blessed with the protection of their lairds live much more comfortably, as they can separate the housed cattle from their fire-sides by a little partition, but so open as to allow the benefit of the fire to reach their cattle; though still the whole of them, whether rich or poor, keep the cow-houses without cleaning them till spring.—Buchanan's *Travels in the Western Hebrides*, pp. 91, 93 (1793).

The wages of a full-grown active maid amounts to five shillings sterling a year, and lessened or increased in proportion to her age or supposed merit; and out of these few shillings she must repay any damage of tea-cups or other articles that may suffer through her hands.

The yearly wages of the men-servants bear the same proportion with the women's; for there are no day-labourers for daily wages here as in other countries—no such thing is ever allowed or encouraged by the oppressors; but such people must become scallags, and yield their labour for less profits than even the young servant-men do, for the labourer or scallag must hang about his helpless wife and family, whereas the servant-man often betakes himself to the sea service to get out of their reach.—Buchanan's *Travels in the Western Hebrides*, pp. 96, 97 (1793).

The severe carriage of manure for the land in spring, and of kelp in summer, wears out the horses; supplies of which are brought every year into the other islands of the Western Hebrides from Lewis.

In the back settlement of Harris men, women, and children must be constantly under the panniers, as no horse could be of much use there, where the men can hardly walk with their loads.

One must be a hard-hearted taskmaster that will not pity a poor woman, with her petticoats tucked up to her knees, and a heavy load of dung or wet sea-tangle on her back, mounting those rugged declivities and sheep hills, to the distance of a complete mile from the sea, before they lay the burdens on the ground. The men work with skins above their coats under the panniers, and their short sticks in their hands, and neither frost nor snow, wind nor rain, will make them quit their labour till night when once they are begun and thoroughly wet.—Buchanan's *Travels in the Western Hebrides*, pp. 148, 149 (1793).

A very different face of affairs from that which we have just been contemplating in Lewis takes place in the neighbouring island, or rather peninsula of Harris, and for the most part in all places in the Hebrides, where the people are not under the eye of some great and liberal lord, whose mind and fortune conspire to nourish liberal ideas in his breast, and to diffuse comfort all around him. On a general survey of the Western Hebrides, as we

have seen, the picture that is oftenest presented, and which recurs again and again to the mind, is that of melancholy and depression. Those isles are in general the melancholy abodes of woe, of suffering in various forms, where the people are treated merely as beasts of burthen, and worse than beasts of burthen. If want and stripes leave any room for sensibility to a state of slavish dependence and cruel revilings and mockery, surely the tears, the cries, the groans of so great a number of oppressed, though lively and acute people, call for pity and relief at the hands of Government!—Buchanan's *Travels in the Western Hebrides*, pp. 193, 194 (1793).

C.
Condition of
the Country
and People.

They have a fine vein for poetry and music, both vocal and instrumental; more especially in both the Uists, where one may meet not only with studied but even extemporaneous effusions of the most acute and pointed satire, that pierce to the heart, and leave a poignant sting.

At the same time, in these compositions, one meets with the most soft and tender strains of feeling affection that melt the soul with heart-felt sensibility and love, along with the most moving dirges and lamentations for their lost sweethearts and friends, and the whole composed by the vulgar no less than by the most refined. In these qualities they excel any of the English or old Scots songs which have hitherto been published, however much and deservedly celebrated and admired by every true judge of musical compositions. And had the language been so generally understood, the Gaelic music would have been introduced, with admiration and delight, on every stage on which taste and elegance prevailed.

Their *luinneags*, with the chorus of the band, are inconceivably agreeable to the ear; and the manner of turning the hands and handkerchiefs, when united in the circle, is no less entertaining to the eye. Vocal and instrumental music make up part of their entertainments. In their agility in the dance they stand almost unrivalled by any people. In Lewis, since their late happy change from servitude to freedom by the present noble-minded proprietor, they are animated with such life as to meet in companies regularly every week at stated places, where both old and young take their turn at this agreeable pastime, when they exercise themselves with amazing alertness and spirit. Their musicians receive regular salaries. The violin is more used on these occasions than the small pipes. This last, with the great pipe, is mostly used in the field, at weddings, funerals, and other public meetings. The piper must play up a *Cuart Phibrachd*, a march that is heard at a great distance, and produces a fine effect on the spirits of the company. Most of the great families had their pipers to play before the doors or in the great hall during meal-time, and appointed certain lands for their support, which continued in the families time immemorial. Some still retain this ancient custom. The M'Cruimmans of Skye hold their lands from Macleod of Macleod, still as their family seat for attending the chief's person and family.—Buchanan's *Travels in the Western Hebrides*, pp. 80–82 (1793).

Stornoway.

On the north side of the town there is a great number of miserable thatched huts, occupied by sailors, fishers, and other people, with their families. The poor inhabitants of those huts have built more commodious thatched houses along the shore of the bay, east of the town; and Mr Mackenzie of Seaforth gives every head of a family one guinea to encourage them to remove, and to help them in defraying the expenses incurred on the occasion. He gives those poor people twenty years' lease of their dwelling-places, to each of which

C.
Condition of
the Country
and People.

a small garden is joined, and they pay three Scotch merks yearly for every such house-room and garden. He gives them full liberty to cultivate as much as they can of a neighbouring moor, and exacts no rent for seven years for such parts thereof as they bring into culture. In this, and all the other parishes of the island, the women carry on as much at least of the labours of agriculture as the men; they carry the manure in baskets on their backs they pulverise the ground after it is sown, with heavy hand-rakes (harrowes being seldom used), and labour hard at digging the ground, both with crooked and straight spades.—*Old Stat. Account*, vol. xix. p. 238.

Tacksmen's Stores.—Upon inquiry I found that most of the principal tacksmen in those districts have come into the practice of keeping a kind of store or warehouse of necessaries for the use of his immediate dependants, and that the usual and avowed rate of profit, which they think reflects no discredit on them to exact, is about 50 per cent., and on grain and other articles considerably higher. Last season oatmeal sold at Greenock for about 16s. per boll—in many places of the Hebrides it was about 24s., in some places, I was told, 28s.; and this I was informed is not beyond the usual proportion. Some men, as must be expected in all cases where the people are under the power of an individual, exact much more than others. An abatement in the price of what articles the people have to dispose of, at least equal to that, must be in general made, so that the situation of the poor people is truly deplorable.

Nor are these storekeepers so much to be blamed as men would in general be disposed to do on first viewing the matter. The expense they must be at in procuring the articles for sale, must be uncommonly great, their sales are languid, credits long, and payments precarious. In these circumstances, very great *apparent* profits must be obtained before a reasonable profit per annum on the stock thus employed can be got.—*Anderson's Account of the Hebrides*, 1785, p. 165.

Food of a Highland Family, 1746.—They earnestly entreated me to abandon my intentions, and to remain with them for some time at Samuel's in Glen-Propser.

Samuel was a very honest man, but extremely poor. We remained seventeen days in his house, eating at the same table with himself and his family, who had no other food than oatmeal, and no other drink than the water of the stream, which ran through the glen. We breakfasted every morning on a piece of oatmeal bread, which we were enabled to swallow by draughts of water; for dinner we boiled oatmeal with water, till it acquired a consistency, and we eat it with horn spoons; in the evening we poured boiling water on this meal in a dish for our supper. Honest Samuel and his family had scarcely any other food than this the whole year through, except perhaps during summer when they mixed a little milk with their oatmeal instead of water.—*Memoirs of the Rebellion in 1745-46*, by the Chevalier de Johnstone, London, 1820, p. 185.

The occupations of the inhabitants in the neighbourhood of Lochawe are chiefly pastoral, the country, except in the Vale of Glenorchy, being very hilly, and better suited to the support of sheep than agriculture. Almost every person, however, cultivates some oats and barley; the return of the former is not in general above three or four seeds, and of barley six or seven; but potatoes thrive very well here, returning from twelve to twenty-fold. For nine months of the year the useful root makes a great part of the food of the middle and lower ranks of people; and, indeed, till the general introduction of it into the Highlands, which is not very remote, the poor and lower classes pined away near half their time in want and hunger, the country being so little adapted

both from soil and climate to the growth of grain.—*Tour through the Highlands of Scotland*, by T. Garnett, M.D., London, 1800, vol. i. p. 116.

The grain which they commit to the furrows thus tediously formed is either oats or barley. They do not sow barley without very copious manure, and then they expect from it ten for one, an increase equal to that of better countries; but the culture is so operose that they content themselves commonly with oats; and who can relate without compassion that after all their diligence they are to expect only a triple increase? It is in vain to hope for plenty, when a third part of the harvest must be reserved for seed.—*A Journey to the Western Highlands of Scotland*, by Samuel Johnson, London, 1775, p. 180.

C.
Condition of
the Country
and People.

Braemar.

The houses of the common people in these parts are shocking to humanity, formed with loose stones, and covered with clods, which they call devots, or with heath, broom, or branches of fir; they look, at a distance, like so many black mole-hills. The inhabitants live very poorly, on oatmeal, barley-cakes and potatoes; their drink whisky, sweetened with honey. The men are thin, but strong; idle and lazy, except employed in the chace, or anything that looks like amusement; are content with their hard fare, and will not exert themselves farther than to get what they deem necessaries. The women are more industrious, spin their own husbands' cloaths, and get money by knitting stockings, the great trade of the country.—*Pennant's Tour in Scotland*, vol. i. p. 131.

Parish of Far.—The whole of these four parishes was of old called Strathnavar, from the river Navar, which was so called, as some think, from the name of one of King Kenneth the Second's warriors. It is a noble body of water, well stored with salmon, having many fruitful and beautiful villages on the banks of it, and is so inhabited for eighteen miles.—*Pennant's Tour in Scotland*, vol. i. p. 344.

Parish of Rogart.—Consists of good pasture and good corn land.—*Pennant's Tour in Scotland*, vol. i. p. 361.

Parish of Kildonnan.—Consists of a valley, divided into two parts by the river Helmsdale, or Illie, only fit for pasture.—*Pennant's Tour in Scotland*, vol. i. p. 361.

Arran.

The men are strong, tall and well made; all speak the Erse language, but the antient habit is entirely laid aside. Their diet is chiefly potatoes and meal; and during winter, some dried mutton or goat is added to their hard fare. A deep dejection appears in general through the countenances of all: no time can be spared for amusement of any kind; the whole being given for procuring the means of paying their rent; of laying in their fuel, or getting a scanty pittance of meat and cloathing.—*Pennant's Tour in Scotland*, vol. ii. p. 200.

Islay.

The produce is corn of different kinds; such as bear, which sometimes yields eleven-fold; and oats six-fold: a ruinous distillation prevales here; insomuch that it is supposed that more of the bear is drunk in form of whisky; than

eaten in the shape of bannocks. Wheat has been raised with good success in an inclosure belonging to the proprietor; but in an open country where most of the cattle go at large, it is impossible to cultivate that grain; and the tenants are unable to inclose. Much flax is raised here, and about £2000 worth sold out of the island in yarn, which might better be manufactured on the spot, to give employ to the poor natives.

A set of people worn down with poverty: their habitations scenes of misery, made of loose stones; without chimnies, without doors, excepting the faggot opposed to the wind at one or other of the apertures, permitting the smoke to escape through the other, in order to prevent the pains of suffocation. The furniture perfectly corresponds: a pothook hangs from the middle of the roof, with a pot pendent over a grateless fire, filled with fare that may rather be called a permission to exist, than a support of vigorous life: the inmates, as may be expected, lean, withered, dusky and smoke-dried. But my picture is not of this island only.

Notwithstanding the excellency of the land, above a thousand pounds worth of meal is annually imported. A famine threatened at this time; but was prevented by the seasonable arrival of a meal ship; and the inhabitants, like the sons of Jacob of old, flocked down to buy food.—*Pennant's Tour in Scotland*, vol. ii. pp. 261, 262.

Cannay.

As soon as we had time to cast our eyes about, each shore appeared pleasing to humanity; verdant, and covered with hundreds of cattle: both sides gave a full idea of plenty, for the verdure was mixed with very little rock, and scarcely any heath: but a short conversation with the natives soon dispelled this agreeable error: they were at this very time in such want, that numbers for a long time had neither bread nor meal for their poor babes: fish and milk was their whole subsistence at this time: the first was a precarious relief, for, besides the uncertainty of success, to add to their distress, their stock of fish-hooks was almost exhausted; and to ours, that it was not in our power to supply them. The rubbans, and other trifles I had brought would have been insults to people in distress. I lamented that my money had been so uselessly laid out; for a few dozen of fish-hooks, or a few pecks of meal, would have made them happy. The Turks erect *caravansaras*. Christians of different opinions concur in establishing *hospitia* among the dreary Alps, for the reception of travellers. I could wish the public bounty, or private charity, would found, in fit parts of the isles or mainland, magazines of meal, as preservatives against famine in these distant parts.

The crops had failed here the last year: but the little corn sown at present had a promising aspect; and the potatoes are the best I had seen: but these were not fit for use. The isles I fear annually experience a temporary famine: perhaps from improvidence, perhaps from eagerness to increase their flock of cattle, which they can easily dispose of to satisfy the demands of a landlord, or the oppressions of an agent. The people of Cannay export none, but sell them to the numerous busses, who put into this *Portus Salutis* on different occasions.—*Pennant's Tour in Scotland*, vol. ii. pp. 311, 312.

The length of the island is about three miles; the breadth near one: its surface hilly. This was the property of the bishop of the isles, but at present that of Mr Macdonald of Clan-Ronald. His factor, a resident agent, rents most of the island, paying two guineas for each penny-land; and these he sets to the poor people at four guineas and a half each; and exacts, besides this,

three days labor in the quarter from each person. Another head tenant possesses other penny-lands, which he sets in the same manner, to the impoverishing and very starving of the wretched inhabitants.

C.
Condition of
the Country
and People.

The arable land in every farm is divided into four parts, and lots are cast for them at Christmas: the produce, when reaped and dried, is divided among them in proportion to their rents; and for want of mills is ground in the quern. All the pasture is common, from May to the beginning of September.

It is said that the factor has in a manner banished sheep, because there is no good market for them; so that he does his best to deprive the inhabitants of cloathing as well as food. At present they supply themselves with wool from Rum, at the rate of eightpence the pound.—*Pennant's Tour in Scotland*, vol. ii. p. 315.

Isle of Rum, in an open bay, about two miles deep, called Loch Sgriosard, bounded by high mountains, black and barren: at the bottom of the bay is the little village Kinloch, of about a dozen houses, built in a singular manner, with walls very thick and low, with the roofs of thatch reaching a little beyond the inner edge, so that they serve as benches for the lazy inhabitants, whom we found sitting on them in great numbers, expecting our landing, with that avidity for news common to the whole country.

Entered the house with the best aspect, but found it little superior in goodness to those of Islay; this indeed had a chimney and windows, which distinguished it from the others, and denoted the superiority of the owner: the rest knew neither windows nor chimnies. A little hole on one side gave an exit to the smoke: the fire is made on the floor beneath; above hangs a rope with the pot-hook at the end, to hold the vessel that contains their hard fare, a little fish, milk, or potatoes. Yet, beneath the roof I entered, I found an address and politeness from the owner and his wife that were astonishing: such pretty apologies! for the badness of the treat, the curds and milk that were offered; which were tendered to us with as much readiness and good will, as by any of old Homer's dames, celebrated by him in his *Odyssey* for their hospitality. I doubt much whether their cottages or their fare was much better; but it must be confessed that they might be a little more cleanly than our good hostess.—*Pennant's Tour in Scotland*, vol. ii. pp. 317-318.

Skye.

The westerly wind blows here more regularly than any other, and arriving charged with vapour from the vast Atlantic, never fails to dash the clouds it wafts on the lofty summits of the hills of Cuchullin, and their contents deluge the island in a manner unknown in other places. What is properly called the rainy season commences in August: the rain begins with moderate winds, which grows stronger and stronger till the autumnal equinox, when they rage with incredible fury.

The husbandman then sighs over the ruins of his vernal labors: sees his crops feel the injury of climate: some laid prostrate; the more ripe corn shed by the violence of the elements. The poor foresee famine and consequential disease: the humane tacksmen agonise over distresses, that inability, not want of inclination, deprives them of the power of remedying. The nearer calls of family and children naturally first excite their attention: to maintain and to educate are all their hopes, for that of accumulating wealth is beyond their expectation: so the poor are left to providence's care; they prowl like other

C.
Condition of
the Country
and People.

animals along the shores to pick up limpets and other shell-fish, the casual repasts of hundreds during part of the year in these unhappy islands. Hundreds thus annually drag through the season a wretched life: and numbers, unknown, in all parts of the Western Highlands (nothing local is intended) fall beneath the pressure, some of hunger, more of the putrid fever, the epidemic of the coasts, originating from unwholesome food, the dire effects of necessity. Moral and innocent victims! who exult in the change, first finding that place where the wicked cease from troubling, and where the weary are at rest.

The farmer labors to remedy this distress to the best of his power, but the wetness of the land late in spring prevents him from putting into the ground the early seed of future crops, bear and small oats: the last are fittest for the climate: they bear the fury of the winds better than other grain, and require less manure, a deficiency in this island. Poverty prevents him from making experiments in rural economy: the ill success of a few made by the more opulent, determines him to follow the old tract, as attended with more certainty, unwilling, like the dog in the fable, to grasp at the shadow and lose the substance, even poor as it is.

The produce of the crops very rarely are in any degree proportioned to the wants of the inhabitants: golden seasons have happened, when they have had superfluity; but the years of famine are as ten to one. The helps of the common years are potatoes: it is difficult to say whether the discovery of America by the Spaniards has contributed to preserve more lives by the introduction of this vegetable; or to have caused more to perish by the insatiable lust after the pretious metals of the new world.—*Pennant's Tour in Scotland*, vol. ii. pp. 351–353.

Loch Broom.

It is a land of mountains, a mixture of rock and heath, with a few flats between them bearing bear and black oats, but never sufficient to supply the wants of the inhabitants.—*Pennant's Tour in Scotland*, vol. ii. p. 363.

Sutherland.

This tract seems the residence of sloth; the people almost torpid with idleness, and most wretched: their hovels most miserable, made of poles wattled and covered with thin sods. There is not corn raised sufficient to supply half the wants of the inhabitants: climate conspires with indolence to make matters worse; yet there is much improveable land here in a state of nature: but till famine pinches they will not bestir themselves: they are content with little at present, and are thoughtless of futurity; perhaps on the motive of Turkish vassals, who are oppressed in proportion to their improvements. Dispirited and driven to despair by bad management, crowds were now passing, emaciated with hunger, to the eastern coast, on the report of a ship being there laden with meal. Numbers of the miserables of this country were now migrating: they wandered in a state of desperation; too poor to pay, they madly sell themselves for their passage, preferring a temporary bondage in a strange land to starving for life in their native soil.—*Pennant's Tour in Scotland*, vol. ii. pp. 365, 366.

AMOUNT OF GRAIN RAISED IN THE COUNTRY. BAD SEASONS.

C.

*Assynt.*Amount of
Grain raised in
the Country.
Bad Seasons.

The crop of the whole parish consists of oats, the small black kind of barley, and potatoes. When good years occur the produce of all these on the heights of the parish may suffice for six or seven months at most. In the lower parts and along the whole coast it will probably serve for ten months; and in case of a good herring fishing, and plenty of them secured for family consumption, the year may pass tolerably well in this quarter, but in bad years no less than 1500 bolls at least, and that used with the greatest economy, as an addition to what may remain of the produce here, will serve the whole parish, what the narrator believes to contain 3000 souls.—*Old Stat. Account*, vol. xvi. p. 192.

The most remarkable instances of bad seasons are the following :—In 1766, when the narrator came here, the crop was lost, also the peats almost. In spring 1772, in consequence of the preceding indifferent harvest, one-fourth part of the cattle perished. In particular the case was that a great storm of snow came on in the beginning of January, it continued off and on till the beginning of April, when it was carried away suddenly by a great and uncommon deluge of rain. Frost continued throughout April. In a word, though all the provender and even the corn was given, the cattle perished. The 1782 was bad, but nothing so distressing as the last mentioned. This same 1793 has been distressing throughout the whole of it; the crop is for the most part damaged, and the best of it hurt. In short, by observation, the narrator can truly say that every ninth or tenth year turns out distressing either by loss of crop, loss of cattle, perhaps both, if the spring proves not favourable. The intermediate years betwixt every ninth or tenth year are, upon the whole, not to be complained of.—*Old Stat. Account*, vol. xvi. p. 192.

Lairg, Sutherland.

The people always buy a great deal of grain, the land not providing above eight months' bread for the inhabitants, for it is much more calculated for breeding cattle than for yielding corn. The only crops are oats, barley, and potatoes, and these in scanty portions, as the land is mostly let to small tenants who cannot improve their farms.—*Old Stat. Account*, vol. ii. p. 571.

Parish of Farr, Strathnaver.

There are fifty ploughs in the parish, but most of the farmers delve their land. The plough is drawn with four horses abreast. They generally sow in April and May and reap in September and the beginning of October. Very little of the parish is cultivated, compared with what is lying waste and common. It is, therefore, by no means surprising that it does not supply its inhabitants with provision. In 1782, there were 1000 bolls imported. The situation of the people in 1783 was deplorable. They killed the few cattle they had, and ate their flesh without bread or salt. Many left the parish and went to other places for employment.—*Old Stat. Account*, vol. iii. p. 541.

Kingussie.

The parish in general does not raise grain sufficient to supply itself. The kinds usually cultivated are bear, oats, and rye. I have already stated my

C.
Amount of
Grain raised in
the Country.
Bad Seasons.

opinion on corn-farming in this climate; and yet, notwithstanding the disadvantages mentioned, were the exertions of the industrious tenant properly directed,—were he instructed by those whose circumstances enable them to make useful experiments,—were he freed from vexatious servitudes, that are the bane of improvement, and taught to look forward with hope to the period when he should enjoy the fruit of his labour, secured to him and his children, by a lease for a length of years; there is little doubt but the soil could be brought to maintain double the number of its present inhabitants. The reverse of this picture is unfortunately too true. The lands in many places are only held from year to year, or on very short leases. Grassums (fines) are frequently exacted; additional burdens are imposed without regarding whether they correspond with the progress of improvement, and personal services are so often demanded, that the tenant, in many instances, is more at the disposal of his landlord than the feudal vassal was of his superior in former times. The rigour of these exactions has of late been in some degree alleviated; and it is to be hoped that, in an enlightened age, the practice will be discontinued altogether.—*Old Stat. Account*, vol. iii. p. 37.

Glenshiel.

This country is but little adapted for the purposes of agriculture; there are some farms which will not raise as much corn as will be sufficient for the consumption of the occupiers for one-fourth of the year. The height of the parish is believed to be much calculated for rearing sheep; and, in the year 1786, triple rent was offered for that district by sheep farmers (it being then out of lease), which the proprietor absolutely refused, declaring that he would never prefer sheep to men, at the same time that he set the lands to old inhabitants (who are not over fond of sheep), on their paying a pretty moderate augmentation.—*Old Stat. Account*, vol. vii. p. 128.

Sleat.

The barony of Sleat is now subdivided into twenty-six different farms or tenements, which, at a moderate calculation, may sow about 20 bolls each, in all 520, there is hardly any barley, the sea-ware growing on the shore being almost entirely laid out in manuring potatoes. That useful root is much, and indeed necessarily, cultivated here, the inhabitants living great part of the year on potatoes and various sorts of fish, chiefly herrings, shoals of which regularly and providentially make their appearance in almost all the bays and lochs round the island about the 25th of July, and generally remain in less or greater bodies till the middle of December. Nature, indeed, seems to have made some provision for the support of the inhabitants of this land, as the fish casts up nearly at the time that the meal is consumed.—*Old Stat. Account*, vol. xvi. p. 534.

Duirinish.

In summer 1773, Government generously sent a cargo of meal to the Western Islands, of which this parish got 44 bolls and 3 firlots, which was a most seasonable relief to the poorer sort of people.—*Old Stat. Account*, vol. iv. p. 134.

Stornoway.

The only crops in this parish are small oats, barley, and potatoes. The parish never supplies itself with sufficiency of provision, but always imports

a great deal from Caithness, Berwick, &c., and is at this time (1796) in great distress, without a probability of a speedy supply.—*Old Stat. Account*, vol. xix. p. 259.

C.
Amount of
Grain raised in
the Country.
Bad Seasons.

Barra.

They have of late begun to plant potatoes in light sandy soil, which answers very well, and Mr Macneil, the proprietor, plants almost all his with the plough, which gives ample satisfaction, and every one begins to follow the example. The principal crop here is barley and potatoes; there is some small black oats and little rye. The returns in barley are from ten to fifteen, in potatoes from fifteen to twenty. Sea-weed is the principal manure here; as that is sometimes precarious, the crop must be so also, for when a sufficient quantity of sea-weed is not cast upon the shore, a plentiful harvest is not to be expected. Formerly the sea-weed that grows upon the shore was used for manure, but since kelp has become so valuable, the proprietors everywhere have restricted the people from cutting it for that purpose, which is certainly prejudicial to agriculture. The people also make some compost. In good seasons they raise as much crop as will be sufficient for their subsistence, otherwise there is a scarcity; but the proprietor supplies the country with low country meal at the market price. It is to be hoped that a scarcity may not happen so frequently henceforth, if the people in general could adopt the improvements lately introduced in raising crops and rearing cattle.—*Old Stat. Account*, vol. xiii. p. 330.

Kilfinichen.

The principal food of the inhabitants is potatoes, of which great quantities are raised. The parish, however, never serves itself entirely, even in the best years, and in bad seasons great quantities of meal are imported. That year was much severer than summer 1783, and together with several bankruptcies that happened then, reduced the inhabitants to great difficulties.—*Old Stat. Account*, vol. xiv. p. 176.

Under such a climate the best years are bad. Every third year upon an average is a year of famine.

In all these years of famine, as they are called, the people, instead of being able to pay any rent, must be supplied by the laird, his factor, or some trader, with the actual means of existence till the grounds yield better crops.

When one bad crop is succeeded by another bad crop, as in the years 1782 and 1783, the proprietor must either purchase grain to support his tenants, turn them out of doors, or see them perish by slow degrees through want.—*A Tour through the Highlands of Scotland*, 1786, by John Knox, London, 1787, p. xci.

The Highlanders are not without considerable quantities of corn, yet have not enough to satisfy their numbers, and therefore yearly come down with their cattle, of which they have greater plenty, and so traffic with the lowlanders for such proportions of oats and barley as their families or necessities call for.

The lowlanders have plenty of most sorts of grain, especially oats and barley; and as for cattle, though they have large herds and *Lags* (*sic*) of their own, yet their plenty of this kind depends much on the yearly descent of the Highlanders who come hither with considerable droves to exchange for corn when their own is spent at home.—*A Short Account of Scotland*, by the Rev. Mr Thomas Moser, London, 1715, pp. 5 and 12.

C.

Taxes on Coals
and Salt, &c.

TAXES ON COALS AND SALT, &C.

Jura and Colonsay.

It is to be hoped that the Legislature will adopt proper measures to take the duty off an article so universally and absolutely necessary as coal.—*Old Stat. Account*, vol. xii. p. 333.

Lismore and Appin.

The high duty on coals is the greatest disadvantage these parishes labour under, and proves an insurmountable bar to manufactures and improvements of all sorts.

The duty on salt is likewise a great grievance as managed at present, and requires to be remedied.—*Old Stat. Account*, vol. i. p. 500.

Tires.

We spend the best season of the year, which should be otherwise usefully employed, in providing fuel, in ruining the face of our farms, while there is such an unequal duty on coals, and yet we must soon buy them at whatever price.—*Old Stat. Account*, vol. x. p. 393.

Glenshiel.

One of the chief disadvantages is the scarcity of fuel. There are, indeed, inexhaustible funds of moss, but so distant, either on the summits, or behind the mountains, and so inaccessible, by reason of the steepness or ruggedness of the mountains, that the most industrious have a difficulty in being comfortably supplied during the driest seasons. The coal laws, as they presently stand, are the subject of universal complaint on the west coast of Scotland; but in no place is their operation more bitterly felt than in Kintail.—*Old Stat. Account*, vol. vii. p. 130.

Lochalsh.

The parish derives its principal advantage from its local situation on the sea coast, so contiguous to the bays of Lochdwich, Lochcarron, Kishorn, and Lochorn, some of which, and generally all of them, shoals of herrings never fail to visit, between the end of June and the beginning of November.

From benefiting by this advantage, they are, however, in a great measure, prevented by the present existing laws regarding salt. If this obstacle were removed, by allowing the country people salt at the same duty as the fish-curers have it, for curing fish for home consumption, their condition would be greatly improved. They would then not only have it in their power to cure a sufficient quantity for the use of their families, at a smaller expense, but likewise find profitable employment in curing herrings for the Irish markets. It is now not at all uncommon to see them, after catching a quantity of fish, in proportion to their small stock of salt, return from a lake where boat loads might be taken. The country people, from the same cause, not two years ago, sold good herrings in Lochdwich to the masters of busses at from 1s. to 2s. per barrel.—*Old Stat. Account*, vol. xi. p. 427.

The only fuel used is peats, which in wet seasons, in this rainy climate are expensive and precarious. Necessity has sometimes obliged them to purchase coals, at the extravagant rate of 19s. per ton.

C.
Taxes on Coals
and Salt, &c.

It is to be hoped the justice of the British Legislature will not suffer a country, where firing must always constitute one of the most essential comforts of life, to groan any longer under a partial and iniquitous tax on that necessary article.—*Old Stat. Account*, vol. ii. p. 427. 227

On the subject of improving the Scottish fisheries, it is irresistible to animadvert on the most impolitic restraints which have been laid in times less enlightened than the present on the manufacture of salt in Scotland, and the carriage of coals from one place to another in that country, with which the manufacture of salt is intimately connected.—*A Tour in England and Scotland*, by Thomas Newte, Esq., London, 1791, p. 106.

Harris.

It is to be hoped that the Legislature will no longer hold a deaf ear to the universal cry of the poor people on the western coasts; and that, in consequence of a wise modification of the salt laws, they may all soon have access to a sufficient quantity of that most necessary article, to cure their fish for home consumption, on reasonable terms.—*Old Stat. Account*, vol. x. p. 389.

Strath.

Salt is often here a scarce commodity. It has happened, oftener than once, that an ounce of salt was not to be had here, at the very time when the greatest shoals of herring entered the lochs; and a barrel of herring has sold fresh for 2s. which, if salted, would have sold for 12s.—*Old Stat. Account*, vol. xvi. p. 228.

Glenelg.

Grazing seems to be the only kind of farming for which this country is adapted; from necessity, and not choice, agriculture is carried on; the frequent rains, together with the inundations of the rivers, prove so destructive as to render the crops sometimes insipid and useless; but the price of meal, which is considerably advanced since the late corn-bill passed in Parliament, will still urge them to continue their old method of farming with all its disadvantages, it being impossible to purchase the quantity required at such exorbitant prices. In the most favourable seasons, the crops raised are barely sufficient for the maintenance of their families during three-fourths of the year; and in summer, the supplies from other markets are always scanty and precarious, owing to the tedious navigation from the east of Scotland, and the impracticability of land-carriage over a hilly district, more than fifty computed miles in length.—*Old Stat. Account*, vol. xvi. p. 268.

MILITARY RECRUITMENT.

Military
Recruitment.

Kilfinichen.

It is to be observed that it is only with humane proprietors, and under whom they live easily, that they are disposed to enlist.—*Old Stat. Account*, vol. xiv. p. 210.

C.

Military
Recruitment.*Strachur, Stralacklan.*

When the 42nd Regiment was first raised, and particularly when the heirs of Ardkinglass and Strachur were appointed officers in Lord Loudon's regiment in 1745. Though it was not then the mode to make the officers' commissions depend upon raising a certain quota of men, yet the two young gentlemen got most of their company, who followed them as volunteers, from their paternal estates. How different the sentiments of the people in 1778! When it was proposed to raise a Western Fencible Regiment, the gentlemen of Argyleshire engaged to furnish a certain number of men; but though the men had an express promise from Government that they should not be called out of the kingdom, nor even into England, excepting in case of an invasion, the heritors were obliged to bribe them high.

The district is now thinned of its inhabitants. The people have been forced to leave their native hills. Such as have gone have changed their manners, and the old spirit of the Highlander is extinguished in those that remain. The sheep have banished the men. Where, in twelve or sixteen families, a hardy race was reared, ever ready to repel an enemy and gain glory to their country, an opulent tacksman, with a shepherd or two, occupy the lands.—*Old Stat. Account*, vol. iv. p. 575.

Kingussie.

The inhabitants consist of six heritors, three of whom are resident; several officers retired on half-pay, from the army and navy, and the remainder almost wholly of husbandmen and cottagers; excepting smiths and weavers, there are few mechanics of any kind. This is owing partly to the cause already stated, there being no village in the place; and partly to the genius of the people, which is more inclined to martial enterprise than to the painful industry and laborious exertion requisite to carry on the arts of civil life. Till of late, it was even with reluctance that they would hire as day-labourers, and still the greater number of those employed in this way are brought from other counties.—*Old Stat. Account*, vol. iii. p. 39.

Duthil.

Until of late the people were very fond of a military life, but the wages of servants increasing so exceedingly, that spirit is almost totally overcome. Formerly none would enlist but in the Highland corps. Bounty money now determines the choice.—*Old Stat. Account*, vol. iv. p. 315.

Abernethy and Kincardine.

They make hardy, clean, tractable soldiers when in the army; numbers of them are excellent marksmen. Their chief attachment is to Highland corps, which Government ought to make always as provincial as possible. This would increase their attachment and their spirit to a degree that none can understand but such as know their tempers. A man that is harsh and austere, and fond of severity and punishment, is not fit to command a Highland corps; but their officers do them justice, speak to them in a discreet, friendly manner, and encourage them by a little familiarity, and they find them respectful, attached, and obedient. The vagabonds that are recruited in cities and towns ought never to be allowed to mix with them. The method adopted by Government of late, in making their Highland Fencibles provincial ones, is a wise measure, and will answer the end proposed. It is peculiar to this parish to have two heritors, who have got each a Fencible regiment—the

Duke of Gordon and Sir James Grant—and who have not only raised them in three weeks and a few days, but have each of them supernumeraries, for additional companies, in forming a considerable part of second battalions, if Government should need them; and all recruited in an easy, discrete, smooth manner, without force or compulsion. Men so pleasantly got, and so content when well used, cannot miss of giving satisfaction to their officers, and may be relied on by the nation. The people here are loyal to a degree that cannot be surpassed; amazingly attached to their king, because they like his character and his virtues, and that he is a good man.—*Old Stat. Account*, vol. xiii. p. 143.

C.
Military
Recruitment

Portree

Some spirited young men are fond of the military profession; but here, as likewise in the other parts of the country, the generality seem to have lost that martial disposition which was so characteristic of their fathers. When any is enlisted for the service, his relations are for some time inconsolable; and in particular the mothers, sisters, and wives would rather have their respective relatives to pass the most miserable and wretched life with themselves at home, than see them go into the army. If, go they will, it would not give them near the concern, were it along with their chief, his connections or dependants, with whom they are acquainted, and who, they are impressed with the idea, have a greater right to them, and would be more careful and tender of them. However, the different recruiting parties through the country this year have been pretty successful.—*Old Stat. Account*, vol. xvi. p. 161.

Duirinish.

The common people of Skye are blessed with excellent parts; a liberal share of strong natural sense and great acuteness of understanding. They are peaceable and gentle in their dispositions, and are very industrious when they work for themselves; but when they work for hire or wages, they are inclined to be lazy and indifferent. They are rather too fond of changes and emigrations; and though they are brave and very loyal, they are averse to the naval and military services, and are extremely disgusted with the idea of being pressed.—*Old Stat. Account*, vol. iv. p. 137.

The zeal with which the followers of any chieftain came forward to enlist was prompted not only by affection and the enthusiasm of clan-ship, but likewise by obvious views of private interest. The tenant who on such an occasion should have refused to comply with the wishes of his landlord was sensible that he could expect no further favour, and would be turned out of his farm. The more considerable the possession he held the greater was his interest and his obligation to exert himself. The most respectable of the tenantry would therefore be among the first to bring forward their sons; the landlord might, with an authority almost despotic, select from the youth upon his estate all who appeared most suitable for recruits.—*Observations on the Present State of the Highlands of Scotland*, by the Earl of Selkirk, p. 62. London, 1805.

The proprietors, either to become persons of consequence in the eyes of Government or to increase their incomes by procuring the command of the regiments they raise, and many of them, no doubt, with a laudable view of serving their country, are ambitious to raise regiments and companies, and call upon their tenants for their sons. They have undoubtedly no longer a legal power to compel the young men to quit their parents and join the army, as was

C.
 Military
 Recruitment.

the case formerly ; but few of the peasants have any leases, and the fear of losing their farms is a sufficient motive to induce them to comply.

Hence the reader will easily perceive that, though the feudal claims have been abolished, the Highland chieftain has nearly the same power as ever over his vassals, and will have till long leases are granted, which will render the tenants a little more independent.—*Tour through the Highlands of Scotland*, by T. Garnett, M.D., London, 1800, vol. i. 167.

Justice.

JUSTICE.

At present, these countries are so remote from the seat of justice, that it is a matter of great difficulty and expence to obtain justice by law ; which is one of the many causes that tend to depress the people. This, therefore, is one of those most essentially necessary regulations that ought long ago to have been thought of.

Those who have not turned their attention to subjects of this nature, will not be able easily to form an idea of the hardships the natives experience from this circumstance. In some places, the people are nearly two hundred miles from the seat of justice, with which they have no correspondence, but by expresses sent on purpose. In this situation, suppose a man of wealth and power chooses to do violence or injustice to a poor man, how is he to obtain redress ? In all cases, a prudent man will compute which is the least of two evils, when he must submit to one. If, then, the injury he sustains, be not so great as the loss he must submit to before he can obtain redress, he will in prudence bear with it, rather than attempt to obtain justice. Suppose, for example, that a man who has power in his hands, defrauds or injures another to the value of five shillings, and the person injured knows that it would cost him at least five pounds expences to recover these five shillings, he must submit to that loss without attempting redress. In the same manner, if one man owes another any smaller sum, and does not choose to pay it, the means of compelling him are so difficult, that it can scarcely be attempted. On these accounts, rascals and oppressors of every kind are allowed to practice their villainies almost without controul ; and, were not the morals of the people in general better than in places where social intercourse is greater, it would be impossible for any quiet well-disposed person to live there at all. But, where the checks against iniquitous transactions are so few, it is sufficiently plain that commercial transactions must of necessity be few also. To attempt, therefore, to introduce commerce and manufactures, in these circumstances, were absurd.—Anderson's *Account of the Hebrides*, dc., 1785.

CI.

HORSE GUARDS, WAR OFFICE,
12th March 1884.CI.
War Office
Returns.

1. RETURN showing the number of Militiamen serving in Battalions of Militia in the under-mentioned counties in North Britain, according to the latest information—

Argyllshire,	409
Caithness,	111
Inverness-shire,	941
Ross-shire,	688
Sutherlandshire,	103
Orkney and Shetland,	13
	<hr/>
Total,	2265

2. RETURN showing the number of Volunteers contributed to the Regular Army by the Militia Battalions in the under-mentioned counties in North Britain during the year ended 31st December 1883—

Argyllshire,	17
Caithness,	7
Inverness-shire,	19
Ross-shire,	13
Sutherlandshire,	<i>nil.</i>
Orkney and Shetland,	1
	<hr/>
Total,	57

3. RETURN showing the number of Recruits obtained for the Regular Army (exclusive of Volunteers from the Militia) in the under-mentioned counties in North Britain during the year ended 31st December 1883—

Argyllshire,	6
Caithness,	11
Inverness-shire,	31
Ross-shire,	13
Sutherlandshire,	<i>nil.</i>
Orkney and Shetland,	2
	<hr/>
Total,	63

4. RETURN showing the number of Volunteers serving in Corps in the under-mentioned counties in North Britain on the 1st December 1883—

Argyllshire,	1244
Caithness,	836
Inverness-shire,	1288
Ross-shire,	1073
Sutherlandshire,	642
Orkney and Shetland,	659
	<hr/>
Total,	5742

CII.—TABLE showing the Population, Pauperism, and Expenditure on Poor Relief in the Counties of the Highlands and Islands, as compared with the three decennial Periods 1861, 1871, and 1881.

COUNTIES.	1861-2.				1871-2.			
	Population in 1861.	No. of Registered Poor and Dependants at 14th May 1862.	Ratio of Pauperism to Population.	Amount expended on Poor Relief during year ended 14th May 1862.	Population in 1871.	No of Registered Poor and Dependants at 14th May 1872.	Ratio of Pauperism to Population.	Amount expended on Poor Relief during year ended 14th May 1872.
ARGYLL, . . .	79,587	4,793	1 in 16·6	£ s. d. 23,388 18 4	75,595	3,624	1 in 20·8	£ s. 20,185 18
CAITHNESS, . .	42,200	2,185	19·3	8,037 2 0	41,011	2,137	19·1	8,935 0
INVERNESS, . .	89,174	3,970	22·4	18,741 5 0	88,324	4,296	20·5	19,911 3
ORKNEY AND SHETLAND, . } }	64,065	1,784	35·9	4,821 13 3	62,882	2,381	26·4	7,341 9
ROSS AND CROMARTY, . } }	82,427	3,986	20·6	15,009 19 5	82,093	4,297	19·1	16,907 18
SUTHERLAND, .	24,157	1,198	20·1	4,081 2 5	23,298	1,003	23·2	4,278 4
	381,610	17,916	21·2	74,079 6 8	373,203	17,738	21·0	77,659 14

APPENDIX B.

RETURN respecting CROFTERS and
the Property of _____

1.	2.	3.	4.	5.	6.	7.	8.	9.
No.	NAME OF TENANT.	Number of Families on Crofts.	Number of Persons habitually residing on Croft.	Number of separate Dwelling Houses on Croft.	Rent of Croft, including Grazing Rights, in Money.	Obligations in Labour, Services, or Kind, which are incumbent on the Tenant.	Extent of Arable Land in Imperial Acres and fractions of an Acre.*	Extent of Pasture Land individually held in Acres, if any.
1					£ s. d.			
2								
3								
4								
5								
6								
7								
8								
9								
10								

* Where the acreage is not ascertained, an estimate may be given.

RETURN RESPECTING CROFTS

on the Estate of _____ the Property of _____

1.

2.

3.

	No.	NAME.	Residence, whether on a Croft, or not on a Croft.		Amount. £ s. d.
			On a Croft.	Not on a Croft.	
	1				
	2				
	3				
	4				
	5				
	6				
	7				
	8				
	9				
	10				

Signed _____

Address _____

Date _____

ROYAL COMMISSION—(HIGHLANDS AND ISLANDS).

EDINBURGH, _____ 1883.

SIR,

I AM directed by the Royal Commissioners to transmit to you in duplicate* the following return, with Schedule of Questions, and to request that you will oblige them by furnishing the required information at your convenience.

I have the honour to be,

SIR,

Your obedient Servant,

Secretary.

* The duplicate Returns are to be retained for your information.

Part of Return.	Deer Forest.*		Large Farms.†		Crofters*† Holdings.		Shootings.		Fishings.		House Property and other sources of Rental.		TOTAL of the Estate.	
	1853.	1883.	1853.	1883.	1853.	1883.	1853.	1883.	1853.	1883.	1853.	1883.	1853.	1883.
each class stated in Pg.														
each class stated in (actual measure- minated Acreage), . .														
and once Arable in- creased foregoing Gross														
ancies,														

the date of original *afforestation*, in each case, and of any subsequent extensions which may have occurred.
upwards of £30.
persons holding land for Agricultural or Pastoral purposes individually or in common directly from the Proprietor, at an Annual
ceeding £30.

Return from the Proprietor (or Factor) of the Estate of _____
as at the 1st day of January 1853 and 1883 respectively.

QUESTIONS.

1. Have any Crofters* or Cottars† been transferred since the date of *afforestation* from the Lands now returned as Deer Forest, or within the last 30 years from Lands now returned as Large Farms, to other situations on the property? If so, state the area of land of which they have been dispossessed, and the number of Families so transferred.

2. What extent of pasture ground, if any, has been taken within the last 30 years from Crofters whose residences have not been shifted, and what reductions of rent have been made in respect of the same?

3. What number of families of Crofters and Cottars, if any, have been removed from the Estate by process of law, or under constraint on the part of the Landlord, within the last 30 years?

4. Do Crofters and Cottars respectively hold their lands and houses from year to year, or on lease; if on lease, of what duration are the leases?

5. What assistance, if any, do Crofters and Cottars respectively receive from the Landlord towards the erection and repair of their buildings in money, materials, or otherwise; and what compensation do they receive from the Landlord for buildings erected and improvements executed, wholly or in part, by themselves on removal?

6. Do Crofters and Cottars respectively, on removal, receive from the incoming Tenant any compensation or payment in respect of buildings, improvements, or unexhausted manures, or on account of the goodwill of the holding; and if so, what is the nature and amount of such compensations or payments?

7. In the case of Crofters and Cottars removing from their holdings in debt to the Landlord for arrears of rent, are such arrears in any case transferred to the incoming Tenant, and rendered payable by him to the Landlord?

* 'Crofters' are persons holding land for Agricultural or Pastoral purposes, individually or in common, directly from the Proprietor, at an Annual Rent not exceeding £30.

† 'Cottars' are Occupants of Houses at an Annual Rent not exceeding £2, and holding no land or pastoral privileges directly from the Proprietor. Holders of long Leases or Ground-Rent are not to be included.

A N S W E R S.

Signature _____

Address _____

Date _____ 188 .

No.	Name of Property.	Name of Proprietor.	No. of Crofts.	Average Acreage of Arable Land in Crofts.	Average Rent of Crofts, including Common Pasture.	Average Number of Persons residing on Crofts.	Average Stock actually		
							Horses.	Cattle above one year.	Cattle under one year.
1	Coll, Island of, . . .	{ John Lorn Stewart, } { Esq., }	11	7·4	£ s. d. 14 5 5	4	1	3	1
2	Cornaig, Coll, . . .	{ Trustees of Colin } { Campbell, }	15	3·8	14 18 0	6	1	5	1
3	Duart and Scalastle, Mull,	{ Arbutnot Charles } { Guthrie, Esq., . . }	27	2·1	6 9 5	3	-	1	1
4	Glenforsa, Mull, . . .	{ Lieut. Col. Greenhill } { Gardyne, }	5	5·2	7 5 9	3	-	2	1
5	Iona, Island of, . . .	{ Duke of Argyll, K.G., } { K.T., }	18	8·1	20 9 6	7	1	7	4
6	Kinloch, Mull, . . .	Messrs Mitchell, . . .	8	2·7	8 17 6	5	-	2	1
7	Lochbuy, Mull, . . .	{ Murdoch G. MacLaine, } { Esq., }	17	7·4	13 13 6	4	-†	2	2
8	Penmore, Mull, . . .	{ Robert MacNab, Esq., } { M.D., }	4	6·2	9 15 0	5	1	3	2
9	Ross of Mull, . . .	{ Duke of Argyll, K.G., } { K.T., }	53	6·0	14 1 4	6	1	4	2
10	Rum, Island of, . . .	{ Farquhar Campbell, } { Esq., of Ormsary, }	4	0·2	3 0 0½	2	-	1	1
11	Tyree, Island of, . . .	{ Duke of Argyll, K.G., } { K.T., }	196	14·6	11 2 7	6	2	4	2
12	Torloisk, Mull, . . .	{ Admiral, the Marquis } { of Northampton, }	15	5·6	14 11 8	7	2	6	1
13	Treshnish, Mull, . . .	{ Donald MacLellan, } { Esq., }	3	2·0	8 13 4	3	-	1	1

CAITHNESS.*

ABSTRACT OF RETURNS.

No.	Name of Property.	Name of Proprietor.	No. of Crofts.	Average Acreage of Arable an in Crofts.	Average Rent of Crofts, including Common Pasture.	Average Number of Persons residing on Crofts.	Average Stock actual		
							Horses.	Cattle above one year.	Cattle under one year.
1	Barroch, . . .	{ Sir John R. G. Sinclair, } Bart., . . .	45	13.8	£ s. d. 11 3 0	5	1	2	
2	Brabsterdoran, . . .	Alexander Henderson, Esq., . . .	24	14.2	8 17 10	3	1	2	
3	Braemore, . . .	The Duke of Portland, . . .	6	7.5	11 10 2	5	1	5	
4	Clyth, . . .	Adam Sharp, Esq., . . .	177	10.4	13 14 5	5	1	2	
5	Dounreay, . . .	{ Sir Robt. Charles Sinclair, } Bart., . . .	43	15.6	10 16 3	5	1	3	
6	Dun, . . .	{ Lieut.-Col. Sir Robert } Anstruther, Bart., . . .	30	17.7	7 10 1	5	1	2	
7	Forse, . . .	George Sutherland, Esq., . . .	52	8.7	10 10 2	5	1	2	
8	Hempriggs, . . .	Garden Duff Dunbar, Esq., . . .	87	15.3	11 11 10	4	1	2	
9	Keiss, . . .	Francis Tress Barry, Esq., . . .	73	9.4	9 4 3	4	1	2	
10	Langwell, . . .	The Duke of Portland, . . .	28	2.7	4 5 2	4 {	1 to every } 2 crofts }	1	
11	Latheron, . . .	Mrs Gunn, . . .	32	5.3	7 9 5	{ No } return }	2 to every } 3 crofts }	2	
12	Mey, . . .	The Earl of Caithness, . . .	133	11.8	10 7 11	5	1	2	
13	Murkle, . . .	{ Sir Robt. Charles Sinclair, } Bart., . . .	32	20.2	15 8 7	5	1	2	
14	Rattar, . . .	James Christie Traill, Esq., . . .	303	7.6	5 8 10	4 {	2 to every } 3 crofts }	1	{ 1 to } 2 cr }
15	Sandside, . . .	The Duke of Portland, . . .	37	5.0	7 5 5	5	1	3	
16	Scarmclate, . . .	{ Lieut.-Col. Sir Robert } Anstruther, Bart., . . .	7	14.9	3 14 10	4	1	1	
17	Southdun, . . .	Mrs Sinclair Wemyss, . . .	22	18.0	12 8 4	5	1	3	
18	Stemster, . . .	Alexander Henderson, Esq., . . .	21	19.0	8 0 11	5	1	2	
19	Stirkoke, . . .	Edward Wm. Horne, Esq., . . .	14	20.2	13 15 8	5	1	2	
20	Swiney, . . .	The Duke of Portland, . . .	104	7.7	7 19 11	5 {	2 to every } 3 crofts }	1	
21	Ulbster, . . .	{ Sir J. G. Tollemache } Sinclair, Bart., M.P., . . .	79	27.1	15 1 9	6	2	2	
22	Watten, . . .	The Duke of Portland, . . .	6	7.8	12 9 10	6	1	2	
23	Watten, . . .	{ Lieut.-Col. Sir Robert } Anstruther, Bart., . . .	32	16.7	9 13 11	5	1	2	

* The absence of complete Returns for the County of Caithness is due to the loss of several documents.

A Croft, here denotes a separate holding, at a rent not exceeding £50.

NESS-SHIRE--(MAINLAND, WESTERN SEA BOARD). ABSTRACT OF RETURNS.

Name of Property.	Name of Proprietor.	No. of Crofts.	Average Acreage of Arable Land in Crofts.	Average Rent of Crofts, including Common Pasture.	Average Number of Persons residing on Crofts.	Average Stock actually kept.				Total Amount received for Grazing or Wintering.	REMARKS.
						Horses.	Cattle above one year.	Cattle under one year.	Sheep.		
ig,	Mrs Nicholson,	33	3.3	£ s. d. 9 10 8	6	*	3	2	13	- - -	* 5 horses kept.
Lochaiber,	{ Macintosh of Mac- { kinloch,	72	4.7	14 17 10	4	{ 2 to every 3 crofts.	3	1	65	135 0 0	
n Shona, Island of,	{ Capt. Thos. Anthony { Swinburne, R.N.,	12	2.6	7 18 7	7	-	3	1	33	- - -	
alg,	{ Evan Raffie, Esq., of { Dochfour,	46	3.0	3 4 4	4	{ 2 to every 3 crofts	{ 2 to every 3 crofts	1 to every 2 crofts	- †	- - -	+ 4 horses, 6 sheep.
antaig,	{ Trustees of Belford { Hospital,	9	5.2	11 12 0	4	-	3	2	-	50 0 0	3 horses.
nevis and Callart,	{ Mrs Cameron Camp- { bell of Mouzate,	14	8.5	8 7 2	4	1	6	5	3	100 0 0	3 swine.
ig,	John McLean, Esq.,	14	1.8	3 3 3	4	-	1	1	-	- - -	
lochey,	{ Lieut.-General Lord { Abinger, C.B.,	49	7.6	11 8 11	5	{ 2 to every 3 crofts	3	1	-	116 16 4	11 swine.
ardart,	John Baird, Esq.,	11	2.0	6 11 4	6	- †	3	1	18	- - -	† 3 horses.
stiel,	{ Donald Cameron, Esq., { M.P., of Lochiel,	150	4.4	6 10 9	4	- §	2	1	7	207 12 11	§ 40 horses.
shiel,	{ Lord Howard of { Glossop,	27	4.7	5 6 8	5	- ||	3	1	6	- - -	|| 12 horses.
r, North,	Lord Lovat,	31	2.9	4 10 4	6	-	2	1	4	- - -	9 swine.
r, South,	{ Mrs Nicholson of { Arisaig,	20	2.5	8 16 3	6	- ¶	2	2	0	2 6 0	¶ 3 horses.

LONG ISLAND.

ABSTRACT OF RETURNS.

No.	Name of Property.	Name of Proprietor.	No. of Crofts.	Average Acreage of Arable Land in Crofts.	Average Rent of Crofts, including Common Pasture.	Average Number of Persons on Crofts.	Average Stock actual		
							Horses.	Cattle above one year.	Cattle under one year.
1	Barra,	{ Lady Gordon-Cathcart, of Cluny, . }	187	8.7	2 18 1		1	1	1
2	Benbecula,	{ Lady Gordon-Cathcart, of Cluny, . }	240	20.3	4 19 3	5	{ 3 to every 2 crofts }	3	{ 3 to every 2 crofts }
3	Harris, North,	{ Sir Samuel Edward Scott, Bart., . . }	123	No return	3 14 7	16	-	3	1
	Harris, South,*	The Earl of Dunmore, .		-	-	-	-	-	-
4	Lews, The,	Lady Matheson,	2941	5.2	2 16 2	7	+	3	{ 1 to every 2 crofts }
5	Uist, North,	{ Sir John W. P. Campbell-Orde, Bart., . }	362	13.4	5 8 1	6	2	5	{ 3 to every 2 crofts }
6	Uist, South,	{ Lady Gordon-Cathcart, of Cluny, . }	547	11.4	3 17 10	5	2	3	{ 3 to every 2 crofts }

* No returns obtained from this property, the Commissioners being unable to guarantee the expense wh

No.	Name of Property.	Name of Proprietor	No. of Crofts.	Average Acreage of Arable Land in Crofts.	Average Rent of Crofts, including Common Pasture.	Average Number of Persons residing on Crofts.	Average Stock actually		
							Horses.	Cattle above one year.	Cattle under one year.
1	Achnashellach,	Lord Wimborne,	11	5·7	£ s. d. 8 12 8	4	1	5	2
2	Applecross,	Lord Middleton,	141	No Return.	4 13 0	5	-	3	1
3	Braemore,	John Fowler, Esq., C.E.	9	3·3	3 12 0	5	-*	1	1
4	Cromartie,	{ Duchess of Sutherland, and Countess of Cromartie, V.A., }	235	3·0	4 9 8	5	-	3	1
5	Dundonnell,	Hugh Mackenzie, Esq.,	131	4·2	4 15 11	5	-	4	-
6	Gairloch,	{ Sir Kenneth S. Mackenzie, Bart., }	442	3·2	3 15 5	5	-†	2	1
7	Glenshiel,	{ Sir Alex. Matheson, Bart., M.P., of Lochalsh, }	21	1·4	1 7 2	3	- {	1 to every 2 crofts. }	-
8	Gruinard,	Mrs Lot-Bankes,	101	4·1	5 2 2	5	-‡	3	1
9	Inverlael,	{ Sir Arthur G. R. Mackenzie, Bart. of Coul, }	10	2·6	4 19 11	5	- {	3 to every 2 crofts. }	§
10	Kintail,	{ Sir Alex. Matheson, Bart., M.P., of Lochalsh, }	45	3·4	7 16 4	4	-||	2	2
11	Lochalsh,	{ Sir Alex. Matheson, Bart., M.P., }	198	3·9	5 14 11	5**	{	1 to every 2 crofts. }	1
12	Lochbroom Glebe,	{ Rev. William Cameron, Minister of Lochbroom, }	24	3·0	4 4 8	6	-	2	{ 1 to every 2 crofts }
13	Lochcarron,	{ Charles James Murray, Esq., M.P., }	163	3·5	5 10 2		-††	2	2
14	Lochcarron,	{ Sir Alex. Matheson, Bart., M.P., of Lochalsh, }	26	9·6	13 2 8	5	1	5	2
15	Torrison,	{ Duncan Darroch, Esq. of Gourrock, }	96	1·3	3 8 1	4	- {	3 to every 2 crofts. }	1
15	Ullapool,	{ Lady Matheson, of the Lews, }	24	1·7	1 12 8	4	-‡‡	{ 3 to every 2 crofts. }	-

SKYE, ISLE OF—(INCLUDING EIGG).

ABSTRACT OF RETURNS.

No.	Name of Property.	Name of Proprietor.	No. of Crofts.	Average Acreage of Arable Land in Crofts.	Average Rent of Crofts, including Common Pasture.	Average Number of Persons residing on Crofts.	Average Stock actually		
							Horses.	Cattle above one year.	Cattle under one year.
1	Eigg, . . .	{ Prof. Norman Macpherson, LL.D., . . }	28	3·7	£ s. d. 5 9 1	4	1	3	2
2	Glendale, . . .	{ Trustees of late Rt. Hon. Sir John M. MacLeod, K.C.S.I., }	151	3·6	4 16	6	-*	{ 3 to every 2 crofts }	{ 1 }
3	Glendale, . . .	{ Nicol Martin, Esq., M.D., . . . }	69	4·3	5	5	-		1
4	Greshornish, . . .	{ Kenneth M. Robertson-MacLeod, Esq., }	37	5·7	5 1	5	-	3	1
5	Kilmuir, . . .	Major William Fraser,	380	7·0	14	6	{ 1 to every 2 crofts }	{ 2 }	1
6	Lynedale, . . .	{ Alexander Macdonald, Esq., }	24	6·2	5 12 1	7	-†	2	{ 3 to every 2 crofts }
7	Macdonald, . . .	{ Lord Macdonald of the Isles, . . . }	863	Returns too imperfect to tabulate.					
8	MacLeod, . . .	MacLeod of MacLeod,	171	No Return	2 19 2	5	-\$	{ 3 to every 2 crofts }	{ 1 to every 3 crofts }
9	Raasay, . . .	{ Edward Herbert Wood, Esq., . . }	68	2·7	5 9 0	6	-	2	1
10	Skeabost, . . .	{ Lachlan Macdonald, Esq., . . . }	71	3·9	3 19 3	5	-||	{ 3 to every 2 crofts }	{ 1 }
11	Strathaird, . . .	{ Alexander Macalister, Esq., . . . }	27	No Return	3 8 10	9	-¶	2	-
12	Treaslane, . . .	{ Alexander Macdonald, Esq., . . . }	23	4·0	6 1 5	5	-**	2	{ 3 to every 2 crofts }
13	Waternish, . . .	{ Captain Allan Macdonald, . . . }	139	5·7	5 9 9	6	-††	2	-††

SUTHERLANDSHIRE—(WESTERN SEA BOARD).

ABSTRACT OF RETURNS.

No.	Name of Property.	Name of Proprietor.	No. of Crofts.	Average Acreage of Arable Land in Crofts.	Average Rent of Crofts, including Common Pasture.	Average Number of Persons residing on Crofts.	Average Stock actual		
							Horses.	Cattle above one year.	Cattle on year.
1	Assynt, Parish of, . . .	The Duke of Sutherland, K.G., . . .	317	3.1	£ s. d. 3 5 11	6 {	1 to every 2 crofts }	3	
2	Durness, Parish of, . . .		92	2.8	2 6 11	5 {	1 to every 2 crofts }	2 {	1 to 3 cr
3	Eddrachilles, Parish of, . . .		159	3.4	4 3 8	7 {	1 to every 2 crofts }	3 {	2 to 3 cr
4	Farr, Parish of, . . .		279	3.6	2 10 2	5 {	1 to every 2 crofts }	2 {	2 to 3 cr
5	Reay, Parish of, . . .		156	4.3	3 9 0	4 {	1 to every 2 crofts }	3	
6	Tongue, Parish of, . . .		235	3.9	3 15 9	6 {	1 to every 2 crofts }	3	

APPENDIX C.

LIST OF DEER FORESTS IN SCOTLAND.

County.	No. on Map.	Name of Forest.	Proprietor.	Area in Statute Acres.	Greatest Altitude above the Sea in Feet.	Lowest Altitude above the Sea in Feet.
Aberdeen	1	Abergeldie	H. M. the Queen	2,760	2760	1153
"	2	{ Ballochbuie and Balmoral }	" "	14,770	3786	1050
"	3	Whitemount	" "	4,540	3768	1310
"	4	Glentinar	Marquis of Huntly	26,030	3077	454
"	5	Invercauld	Lt.-Col. Farquharson	20,220	3924	1100
"	6	Mar	Earl of Fife	80,100	4296	1060
Aberdeen and Forfar	7	{ Glenmuick and Backnagairn }	J. T. Mackenzie	19,030	3314	1050
Argyle	8	Ardtornish	J. Valentine Smith	11,570	1685	nil.
"	9	Blackmount	Earl of Breadalbane	70,330	3602	nil.
"	10	Conaglen	Earl of Morton	10,260	2364	46
"	11	Dalness or Royal	Dugald Stuart	7,520	3345	290
"	12	Jura	James Campbell	27,850	2570	nil.
"	12a	Scarba	F. C. T. Gascoigne	3,676	1470	nil.
Banff	13	Glenavon	{ Duke of Richmond and Gordon }	37,150	4296	1190
"	14	Glenfiddich	" "	22,600	2563	810
Caithness	15	Langwell	Duke of Portland	36,930	2313	100
Forfar	16	Caanlochran	Earl of Airlie	9,030	3502	1240
"	17	Glencally	{ Sir J. G. S. Kinloch, Bart. }	2,920	2954	1200
"	18	Glendoll	Duncan Macpherson	3,860	3143	1240
"	19	Invermark	Earl of Dalhousie	25,830	3077	820
Inverness	20	Abernethy or Dell	Earl of Seafield	27,110	4000	690
"	21	Balmacaan	" "	23,520	2284	50
"	22	Achnacarry	Lochiel, M.P.	5,640	2813	93
"	23	Benevrieh	" "	8,530	2971	1020
"	24	Glen Kingie	" "	16,130	3290	360
"	25	Loch Arkalg	" "	17,720	2695	140
"	26	Aigas	Mr Chisholm-Batten	790	1900	630
"	27	{ Amhuinnsuidh (North Harris) }	{ Trustees of late Sir E. H. Scott, Bart. }	40,100	2391	nil.
"	28	Ardverkie	{ Sir J. W. Ramsden, Bart. }	26,990	3569	810
"	29	Benalder	" "	28,080	3757	1153
"	30	Arisaig	Mrs Nicholson	3,090	509	nil.
"	31	Ceanacroc	{ Trustees of late J. M. Grant }	32,760	3634	390
"	32	Invermoriston	" "	17,220	2224	84
"	33	Inverwick	" "	3,100	1850	290
"	34	Corrour	Col. Walker	14,540	3128	1030
"	35	Corryhoillie	Lord Abinger	10,280	4060	365
"	36	Erchless	The Chisholm	12,670	2773	500
"	37	Glen Affric	" "	14,320	3877	710
"	38	Gaick	{ Sir Geo. M.P. Grant, Bart. }	23,650	3000	1150
"	39	Glenfeshie, part of	" "	31,830	4149	1050
"	40	Invershie, part of	" "	5,610	3500	900
"	41	Glendoe	Lord Lovat	17,190	2839	50
"	42	{ Glenstrathfarar and Struy }	" "	51,290	3773	200
"	43	Portclair	" "	14,300	1986	50
"	44	Urchany	" "	4,340	1386	460
"	45	Glenfeshie, part of	The Mackintosh	5,430	3333	1050
"	46	Invershie, part of	" "	3,660	3635	750
"	47	Glengarry	E. Ellice's Trustees	15,230	3066	93
Carry forward				911,186		

County.	No. on Map.	Name of Forest.	Proprietor.	Area in Statute Acres.	Greatest Altitude above the Sea in Feet.	Lowest Altitude above the Sea in Feet.
			Brought forward	911,186		
Inverness	48	Glen Quoich	E. Ellice's Trustees	34,400	3395	nil.
"	49	Glenmore	Duke of Richmond and Gordon	12,450	4084	1035
"	50	Guisachan	Lord Tweedmouth	15,580	2900	400
"	51	Knoydart	John Baird	18,270	3083	nil.
"	52	Luskentyre (South Harris)	Earl of Dunmore	17,060	1654	nil.
"	53	Macdonald (Skye)	Lord Macdonald	10,350	2537	nil.
"	54	Mamore	Mrs Cameron Campbell	28,310	3700	nil.
"	55	Rothiemurchus	Sir John P. Grant	18,650	4248	840
Inverness and Argyle	56	Gulvain	Lochiel, M.P.	8,240	3224	140
Inverness and Ross	57	Craskie, Fasnakyle, and Glencannich	The Chisholm	30,810	3773	290
Perth	58	Athol	Duke of Athole	35,540	3671	620
"	59	Fealar	" "	14,100	3424	1200
"	60	Glenbruar	" "	8,570	3250	1400
"	61	Drummond Hill	Earl of Breadalbane	2,400	1500	380
"	62	Glenartney	Baroness Willoughby d'Eresby	19,310	3224	500
"	63	Rapnoch	Sir R. Menzies, Bart.	12,740	3128	1153
Ross and Cromarty	64	Achnasheen	Charles M'Kenzie	10,380	3060	508
"	65	Achnault	" "	4,450	1831	315
"	66	Achnashellach, Coulin, &c.	Lord Wimborne	49,580	3452	48
"	67	Aline (Lewis)	Lady Matheson	11,160	1500	nil.
"	68	Arnish	" "	3,290	223	nil.
"	69	Morsgail	" "	20,120	1250	nil.
"	70	Alladale	Sir Charles W. A. Ross, Bart.	14,170	2762	540
"	71	Deanich	" "	9,170	2762	720
"	72	Amat	George Ross	913	545	296
"	73	Applecross	Lord Middleton	30,420	2936	nil.
"	74	Attadale	Sir A. Matheson, Bart.	12,580	3234	405
"	75	Diebidale	" "	9,850	2330	660
"	76	Glomach	" "	6,730	3600	220
"	77	Killilan, Patt, and Riochan	" "	14,800	3696	390
"	78	Ben Damph	Duncan Darroch	11,000	2953	nil.
"	79	Torriddon	" "	11,630	3456	95
"	80	Ben Wyvis	Colin G. Ross	15,830	3429	713
"	81	Braemore	John Fowler	20,810	3547	590
"	82	Clunie	J. E. B. Baillie	12,700	3342	606
"	83	Corryhallie	G. F. Gillanders	6,780	2773	610
"	84	Coul Mor or Drumrunie	Duchess of Sutherland	13,060	2786	173
"	85	Rhidorroch	" "	19,890	1798	265
"	86	Tollomouick	" "	1,780	2260	860
"	87	Dundonnell	H. Mackenzie	22,860	3483	15
"	88	Fannich	" "	17,530	3637	822
"	89	Fisherfield	P. Liot Bankes	29,020	3194	220
"	90	Letterewe	" "	18,950	2317	32
"	91	Glenchalvie	Charles Robertson	4,620	2246	360
"	92	Glenchalvaig	Charles J. Murray	10,860	1691	nil.
"	93	Inchbae	Col. D. H. Davidson	21,070	2600	380
"	94	Inverlael and Glenbeg	Sir A. G. R. Mackenzie, Bart.	14,370	3547	500
"	95	Strathvaich, part of	" "	3,410	2433	680
"	96	Kildermorie	R. C. M. Ferguson	2,910	2749	622
			Carry forward	1,674,669		

County.	No. on Map.	Name of Forest.	Proprietor.	Area in Statute Acres.	Greatest Altitude above the Sea in Feet.	Lowest Altitude above the Sea in Feet.
			Brought forward	1,674,669		
Ross and Cromarty	97	{ Kinlochewe, Flowerdale, and Shieldaig }	{ Sir Kenneth Mackenzie, Bart. }	42,750	3309	32
" "	98		" "	2,790	3300	1014
" "	99	Kinlochluichart	Lady Ashburton	20,620	3015	295
" "	100	Kintail	J. T. Mackenzie	12,220	3505	nil.
" "	101	Leckmelm	A. G. Pirie	4,740	2105	500
" "	102	Monar	John Stirling	19,470	3452	490
" "	103	Scatwell	— Mackenzie	7,960	2198	100
" "	104	Strathconon	A. J. Balfour	28,700	3552	395
" "	105	Strathvaich, part of	T. Mackenzie	14,180	3120	750
Sutherland	106	{ Beu Armin and Coir-na-fearn }	Duke of Sutherland	35,840	2358	460
" "	107	Dunrobin	" "	12,180	1706	91
" "	108	Glencanisp	" "	34,490	2779	nil.
" "	109	Reay	" "	64,600	2980	35
			Total	1,975,209		