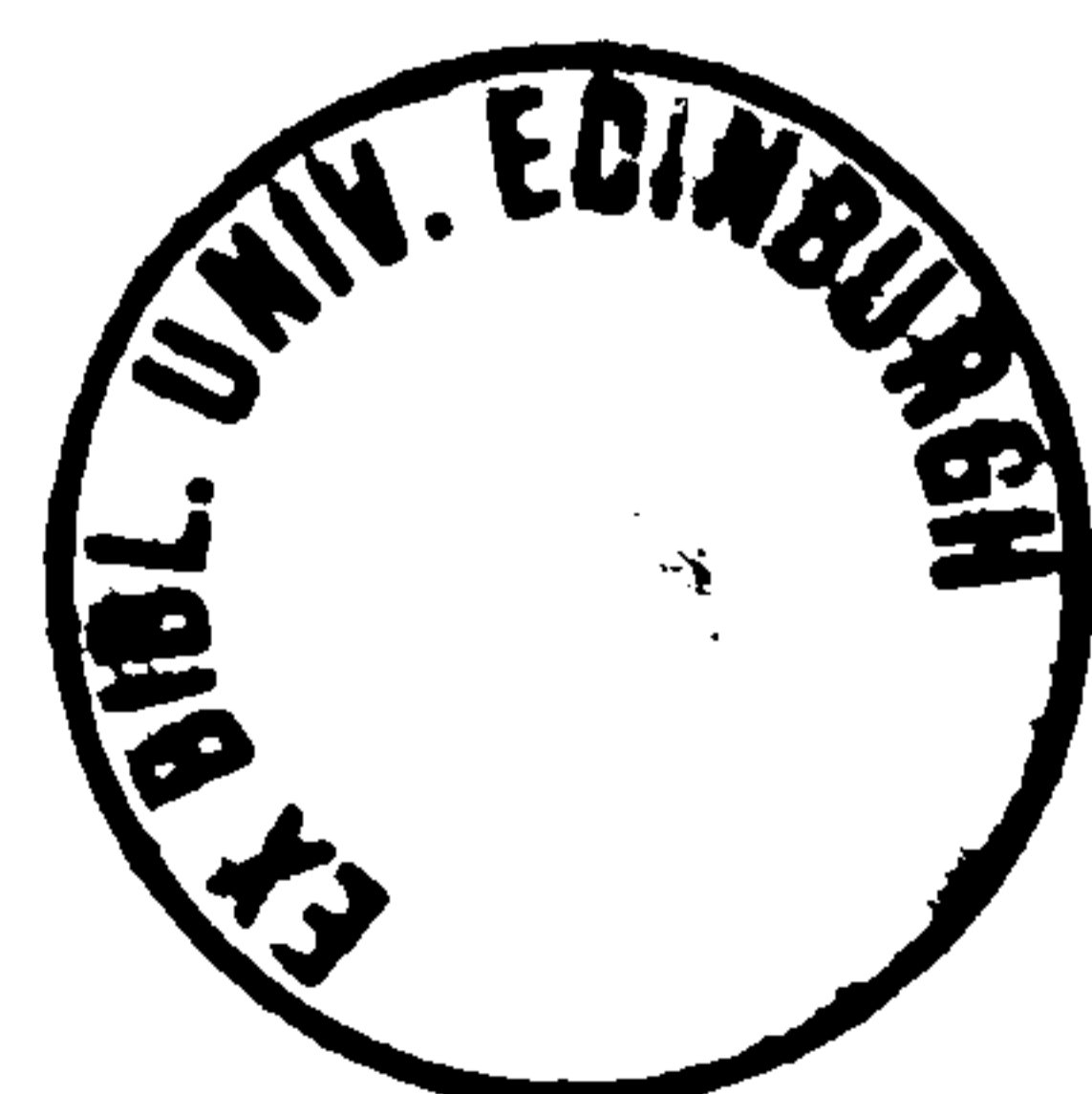


HENRY DUNDAS AND THE GOVERNMENT OF SCOTLAND

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Degree of Ph.D.
University of Edinburgh
1989



DECLARATION

This thesis has been composed entirely by myself and
is my own work.

David J Brown

David J Brown

March 1989

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LIST OF ABBREVIATIONS

Ann Arbor	:	William L. Clements Library, University of Michigan, Ann Arbor, Michigan.
AUL	:	Aberdeen University Library.
<u>BIHR</u>	:	<u>Bulletin of the Institute of Historical Research.</u>
BL	:	British Library.
Duke University	:	William R. Perkins Library, Duke University, Durham, North Carolina.
DCRO	:	Devon County Record Office, Exeter.
EUL	:	Edinburgh University Library.
GUL	:	Glasgow University Library.
<u>HMC</u>	:	<u>Historical Manuscripts Commission</u> (followed by the short title of the collection concerned).
KCRO	:	Kent County Record Office, Maidstone.
Namier and Brooke, <u>HP</u> :	:	Namier, Sir Lewis and Brooke, John, <u>The House of Commons 1754-1790</u> (3 vols, London, 1964).
NLS	:	National Library of Scotland.
NRA(S)	:	National Register of Archives (Scotland).
NUL	:	Nottingham University Library.
PRO	:	Public Record Office.
<u>RSCHS</u>	:	<u>Records of the Scottish Church History Society.</u>
SAUL	:	St Andrews University Library.
<u>SHR</u>	:	<u>Scottish Historical Review.</u>
SRA	:	Strathclyde Regional Archives.
SRO	:	Scottish Record Office.
<u>TDGNHAS</u>	:	<u>Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society.</u>
Thorne, <u>HP</u>	:	Thorne, Roland G, <u>The House of Commons 1790-1820</u> (5 vols, London, 1985).

Note on quotations

I have retained the punctuation and spelling of the documents quoted but I have removed many of the superfluous capital letters so beloved of eighteenth-century correspondents.

ABSTRACT

After the Union, Scotland remained semi-independent, with its own church, legal and political structures. Governments had the choice either of ruling it from London, treating it as an English province, or of according power to a Scottish 'manager', in effect, and sometimes in name, a Secretary of State for Scotland. Such delegation had advantages and disadvantages. It might be vital to the direction of Scottish representatives at Westminster, particularly if government had only a narrow majority. It also raised the spectre of the manager using his delegated power against his 'masters'. Furthermore, the manager's Scots supporters expected him to further their interests. All these aspects are visible in the career of Henry Dundas, Scottish manager from 1783. His early prominence in Scottish politics rested on personal ability and family influence. His success as manager was based on the consent of a large part of the Scots landed interest, whose aspirations he understood and advanced, and upon his friendship with the Prime Minister, William Pitt. His careful construction of regional alliances and his deployment of government patronage made him by 1790 the single most important Scots politician. Resistance to him survived in Scotland, centred on the emerging Whig party but including many who disliked him personally. As manager he fostered personal policies on church and legal appointments and his influence with Pitt allowed him to protect Scots interests where these did not clash with English political or administrative requirements. He was largely indifferent to the working of the Scots revenue boards and these stagnated amidst spreading corruption. As a Cabinet minister, Dundas symbolised

both the growing integration of the Scottish and English ruling classes and the participation of the former in the government of the empire. The impact of the French Revolution and the radical reform movement split the Whigs, some joining government, others lapsing into silence. Dundas recognised the long-term threat to the old order posed by the emerging industrial society, and this threat and the nature of the war, led to the gradual evolution of a Scottish Tory party focussed on Dundas and Pitt. Pitt's successor, Addington, initially continued Dundas's power as manager but later withdrew it and Dundas (now Lord Melville), disturbed at Addington's failings in office, eventually used his Scots influence to participate in his removal in 1804. Melville's return to office was brief and he was impeached in 1805 for malversation of naval funds. His political influence remained strong and survived the limited attacks made by the Grenville government. His friends remained aligned with the late Pitt's English allies and in this group can be seen the core of the nineteenth-century Scots Tory party.

PREFACE

I have almost lost count of the debts that I have incurred in pursuing this study. The foremost is to my parents who gave me the encouragement to persevere. I am also grateful for help of various sorts from the following: Richard Aherne, John Ballantyne, George Barbour, Dr. John Brims, Dr. William Brydon, Hugh Cheape, Dr. Tristram Clarke, Dr. Alexander Fenton, Dr. Ian Grant, Colin Hendry, Ian Hill, John McLintock, Dr. Alexander Murdoch, Dr. James Parker, Dr. Nicholas Phillipson, Dr. Alexander Reid, John Simpson, Dr. Frances Shaw, Dr. John Shaw, Professor J. Morgan Sweeney and Dr. Graham Townend. My supervisor, Dr. William Ferguson, has been a fund of sound advice and of patience. Mrs. Doris Williamson who typed this work has not only managed to read my handwriting but has frequently saved me from my mistakes.

I have enjoyed the help of the staffs of several libraries and archives, all of which are recorded in the bibliography but I should add acknowledgements to the staffs of the Historical Manuscripts Commission and of Connaught Halls of Residence in London.

All students of Scottish History owe an enormous debt to those owners of private archives who have opened their papers to public inspection, whether by placing them in public repositories or by allowing the National Register of Archives (Scotland) to channel wandering researchers into their homes. In this last respect I am grateful for being allowed to inspect the private archives of the following: Mrs. A. Dundas-Bekker of Arniston, the Earl of Dundee, His Grace the Duke of Hamilton, the Hopetoun Papers Trust, and Mr. and Mrs. J. Trotter of Inverness (Trotter of Bush papers).

David J. Brown
Edinburgh March 1989

CHAPTER ONE

HENRY DUNDAS AND THE GOVERNMENT OF SCOTLAND

"... the management of the affairs of Scotland as it is called, considered as a separate department, is but a paltry business not calculated to fill the mind of any man possessed of a high mind or extended ideas. You know these to be my genuine sentiments...".¹

Henry Dundas, later Viscount Melville, was, at the height of his power, one of the three most prominent men in the government of William Pitt.² He was unpopular with most Scots who were outwith the narrow political nation and he was reviled for suppressing the first democratic reformers and for presiding over a political structure widely recognised to be corrupt and unrepresentative.³ To modern Scots he remains a controversial figure, identified as a founder of the Scottish Conservative Party and as the man who brought to near perfection the system of 'managing' Scotland.⁴

There are three published biographies of him by Lovat-Fraser,⁵ Furber⁶ and Matheson,⁷ with at least four articles about him by Wright,⁸ Cannon,⁹ Thorne¹⁰ and Fry.¹¹ Of the longer works, Furber and Matheson alone make use of Dundas's papers, some of which had been sold by his descendants in the 1920s. Perhaps as much again remained with the family and was not accessible until it was opened to the public at the Scottish Record Office in the 1960s.¹² This 'new' material, together with the great number of private archives now open to public inspection, radically alters many of the details set out in the longer biographies.

In the 50 years since Furber and Matheson wrote, there has been a resurgence in interest in eighteenth century Scottish politics. This owes something to a similar movement in England, sparked by the works of Sir Lewis Namier.¹³ It is also related to a post-war discontent with the working of the Anglo-Scots Union and a consequent desire to explore its early history. Drs. Ferguson and Sunter have explained the forms of local electoral politics.¹⁴ Dr Riley has detailed the political and administrative settlement in the first years after 1707¹⁵ and Simpson,¹⁶ Shaw,¹⁷ Scott¹⁸ and Murdoch¹⁹ have each studied aspects of government and politics in Scotland, so that there is now a full picture of the subject from 1707 to 1780. Scots historians have long understood that Dundas was merely one in a line of parliamentary managers - 'ministers for Scotland' - but the full implications of this are not apparent in the standard biographies and the lack of continuity between them and the recent works noted above, is now glaring. It is also clear that the state of Scottish politics in Dundas's era has to be related properly to developments in English affairs and to the impact of the French Revolution on British domestic politics.

What follows is a study only of aspects of Dundas's Scottish affairs. In 1790, he was described "As Prime Minister for Scotland and next to the Minister of England"²⁰ and his Scottish influence gained enormously from his status as a British politician. This will inform what follows but the vast bulk of his papers - even after his own weeding - forbid any detailed study of his role as an English Home Secretary, an Indian administrator, a war

strategist and an imperialist.²¹

Dundas was the dominant Scottish politician of his era and all accounts of him agree on his sociability. He was good humoured and apparently open, "well calculated by talent and manner to make despotism popular".²² In an alcoholic age, his consumption was legendary: "That damnd [sic] fellow Dundass [sic] was born upon a rock and can drink up the ocean", wailed Chancellor Thurlow, after a near-fatal drinking bout.²³ Such social graces were no small part of a politician's armoury and Dundas's possession of them in abundance form the most famous aspect of his character. Beyond this, he is more elusive. His marital life was unhappy. His first wife deserted him, to his great distress,²⁴ and only after a long interlude, during which he pursued several eligible ladies,²⁵ did he remarry. His bride in 1793 was Lady Jane Hope, 24 years his junior. She came from the Hopetoun family and Dundas would later admit that his political ambition had led him to her. At first there was love, but later it paled and they would grow apart.²⁶ His private happiness came from his children and his friends.

He never travelled abroad and his education at Dalkeith Grammar School²⁷ and Edinburgh University, was narrow. "He had very little general knowledge from which he could draw materials for his speeches but he had a great deal of invention and acuteness in his own mind".²⁸ His handwriting was appalling but the clarity of his draft papers shows an ordered mind and he had a prodigious appetite for work. His was the mind of an administrator rather than of an innovator but he was by no means opposed to change. In politics his principles were somewhat

outmoded. He held in general that it was the King's right to choose his own ministers and the politicians' duty to support them. This was a recognised creed and he was genuine enough in following it. Nonetheless his adherence to it laid him open to charges of being willing to support any government and accusations of opportunism would always haunt him.²⁹ Connected with the public perception of a slippery politician was distaste at his dealings. Corruption hung over him like a grey cloud. "His connexion [sic] with Dundas was Pitt's great misfortune", said Wilberforce.³⁰ Dundas's friends knew him to be personally honest but he was never careful in choosing his associates. In part this was some reflection of the fact that he had to do much of the aloof Pitt's dirty work. Worse, his family, like Lord Grenville's in England, was known to profit greatly from sinecures and pensions at the public expense. When he was impeached in 1805, many saw it as both just and overdue. There is little doubt that Dundas allowed this atmosphere to persist: "he was very blameable in not checking the abuses of persons under him".³¹

Dundas was large-minded. In parliament "no man was more implacable in his hatreds"³² but out of doors there was little rancour and he always felt able to throw crumbs of charity to his opponents.³³ His surprisingly Namierite view of politics meant that he had little difficulty in considering doing business with most people.³⁴ Only after his impeachment does a genuine bitterness appear in his politics.³⁵ There is no doubt that the years wore him down and close friends detected a more cynical

detachment as time passed.³⁶ Probably it was inevitable. He was a Scots patriot and he kept his Scots accent without shame, although it served to make him prominent in debate.³⁷ In 1807, he wrote of Scotland's right to be protected from the unjust interference of English politicians supporting a change in the Court of Session³⁸ and in 1811 he vented fury at plans to desecrate Linlithgow Palace by making it a French prison.³⁹ His supposed proclivity to promoting his countrymen was a common cry against him and he knew it and tried to guard against it, to no avail.⁴⁰ The Scots ruling classes benefited greatly from his influence in England and many would doubtless have endorsed one sycophant's description of "a nobleman whos[e] name must ever be dear, to every lover of his country, and in particular to every Scotsman".⁴¹ There is much in a similar vein in his papers, some of it a reflection of the perceived duty of a Scots politician to protect Scottish interests in London.⁴² It is doubtful, however, whether many commoners would have addressed him as one fellow did, "you who is esteemed a father to his cuntry [sic]".⁴³

Later, in discussing Dundas's early career, we will again see the importance of his personality and abilities but these alone do not explain his extraordinary influence in Scottish affairs. This was rooted in his relationship with the very narrow Scottish political nation and in the governmental relationship between Scotland and England.

The Scottish political constituency in the 1780s totalled only some 4000 individuals and in a still primarily agricultural economy, their power over the rest of society was founded on landownership.⁴⁴

At the top of the social scale stood the nobility. In this period there were 86 families with Scottish titles⁴⁵ and perhaps a dozen peers connected with Scotland, holding Irish or British titles, such as Lords Fife and Seaforth.⁴⁶ Within the group as a whole, there were wide variations in status and activity. About a dozen families, such as Argyll, Atholl, Gordon and Queensberry, were very wealthy, owning considerable properties, sometimes in several counties, with a correspondingly high political influence.⁴⁷ Several titles were held by women who, with the exception of the Countess of Sutherland, took little concern in politics.⁴⁸ The Lords Fairfax were American residents. Many other peers were in financially straitened circumstances. The sixth Lord Bellenden was reduced to cadging tiny loans from his fellow peers⁴⁹ and the seventh Marquis of Tweeddale found his house and rents sequestered for debts in 1798.⁵⁰ Many Scots noble families were in receipt of government pensions and to some this was a crucial part of their income.⁵¹ There is little doubt that such pensions could influence a peer's politics and were sometimes meant to.⁵² The need of many peers for military or naval employment had a similar effect.⁵³ While the Scots peerage as a whole benefited from the economic improvements of the period, it is clear that the effect of these on their political conduct should not be exaggerated. Very few

ever became wealthy enough to contemplate paying the full price of opposing government.⁵⁴

After 1707, the Scottish nobility were represented at Westminster by sixteen of their fellows, returned from among their ranks at each general election. The elections were held at Holyrood and the peers could cast their votes either in person, by sending the election clerks a signed list of their preferences, or by entrusting proxy votes to a friend.⁵⁵

Government interference in these elections was normal, and the bustle and indignity of standing - "election martyrdom", Lord Cathcart called it⁵⁶ - was widely resented. Some peers, disliking a system that put them on a different footing from their English brethren, refused to stand for election.⁵⁷

One consequence was an increasing pressure on government to grant British titles to Scots. In 1782, the standing order of the House of Lords of 1711, forbidding Scots peers with British titles to sit in the House, was overridden. By 1806, another twelve had been added to the list⁵⁸ and already by 1800 at least thirteen Scots peers were patiently waiting for the promotion.⁵⁹ British peerages were used as a prime reward for services to government and in time they also became one of the main agencies for assimilating the Scots aristocracy into the wider British nobility.⁶⁰

The influence of the peerage inevitably extended, as landowners, into the elections for the county and burgh MPs. When the Earl of Kellie wrote in 1804 that he scrupled to interfere openly in St. Andrews burgh politics "for fear of the consequences, being

a peer", a displeased Lord Melville told him, "Everybody laughs at such an idea...".⁶¹ In some counties the peerage had a potentially commanding influence and we shall see that this was the subject of considerable resentment.

In 1788, it was calculated that there were 2662 votes enrolled in the Scottish counties, although it is less clear how many actual voters there were, since an individual could be enfranchised in several counties.⁶² There were three possible qualifications for a freeholder.⁶³ He could claim inclusion on the county freeholders' roll if he held lands of the Crown with a valued rent of £400 Scots or more,⁶⁴ or if he similarly held lands valued at 40/- of 'old extent'. a medieval tax assessment. The third qualification, introduced in 1743, allowed landowners in Sutherland who held property of the Earl of Sutherland of a valued rent of at least £200 Scots, to claim enrolment. By the late century the first type of vote was the most common.

For much of the eighteenth century, there was a constant tension, sometimes open, sometimes latent, between the lesser and the greater landowners. The creation of 'nominal' or 'fictitious' votes was at once a cause and a symptom of this tension. It had quickly become accepted that possession of the bare superiority of land valued at £400 Scots was an adequate qualification and that a freeholder need not possess the actual land itself. Consequently a major landowner could, by various legal devices, parcel out superiorities from his holdings, giving them in liferent to friends. They would then be eligible to claim enrolment as freeholders.⁶⁵ Vote 'creation' had proceeded intermittently

since the Union. If a vote founded on a superiority was legal, a 'nominal' vote, where the holder was intended to be completely beholden to the person who had given it to him, was not. Proving the intention of nominality was difficult, however. In 1714 and again in 1743, oaths were instituted to try to deter nominal voters but they had little effect and perjurers cheerfully took them. From 1743, the Court of Session had a jurisdiction in franchise disputes and the decisions of the county freeholders' meetings about accepting or rejecting votes could be appealed to it. Unfortunately the Court was afraid of its judgements being appealed to the House of Lords and its cautious decisions did little to hinder vote creation. Then, in 1768, as a result of scandals and court cases arising from the general election , the Court of Session introduced a list of questions, 'special interrogatories', that freeholders could put to claimants at their head court. They were searching questions, designed to identify nominal votes, and unsatisfactory answers were just grounds to refuse enrolment. Unfortunately, the House of Lords disallowed interrogatories in 1770 and from then on, with no serious checks on nominal votes, the county electoral rolls expanded as the major landholders set to work creating votes. Between 1759 and 1788, Ayrshire's electorate doubled and many other counties had a similar experience.⁶⁶ This undoubtedly added a bitterness to county politics as genuine freeholders came to be swamped by fictitious votes, and it prompted calls for reform.

The basic unit for county politics was the 'interest' - the word had a general application throughout eighteenth century British politics - a group of individuals working together to advance or protect

their own influence. An interest might consist of a nobleman and such friends as would follow his lead or it might be a group of gentlemen bound together by friendship or kinship. Kinship and family loyalties were the most common binding agents in politics in the early century and they remained a prominent feature in Dundas's era.⁶⁷ Behind them, politics was the pursuit of power and power was the ability to bestow good things on one's friends and supporters. This had always been true and a vote in Scotland (as in England) was partly viewed as a ticket giving possible access to favours, such as jobs in local or central government, government pensions and employment in the army or navy. By the late century this pursuit of patronage was even more marked and the political allegiance of an ever-growing number of individuals could be assured only by the provision of favours.⁶⁸

The Duke of Buccleuch was disturbed by this venality:

"It quite disgusts me to see the want of feeling and proper, moral rectitude of conduct in many persons of this country when any office is in question. Judges, Dukes, Lords and commoners are all equally bad if an office suits their friend no matter what the nature of the office is, or what are the qualifications necessary to fill it. Public justice, and the civil government of the country is [sic] seldom thought of by them".⁶⁹

Dundas himself, at the time of his impeachment, would have cause to lament one manifestation of this new climate, the desertion of fair-weather friends.⁷⁰

Some counties were effectively dominated by one interest, normally because of one dominant landowner, as in Bute or Sutherland. Much more common was a situation where two or three

groups would contend for control of the representation, forming and breaking alliances over the years in sometimes bewildering patterns.⁷¹ In four counties in particular, Aberdeen, Ayrshire, Fife and Stirlingshire, the patterns of landholding produced a large number of 'genuine' freeholders, with a correspondingly active political life. In Ayrshire and Stirlingshire much of the local politics revolved around the struggles by the gentry to maintain their influence in the face of the pretensions of local nobles.⁷² In 1811, the Ayrshire situation was described in a way that has some relevance to opinions in other counties:

"... it is very improper that peers should have any weight in putting in any Member of Parl^t far less in dictating to a county as Lord Eglinton does & putting in his nephew one day & his brother the next. It is destroying the House of Com^s & sinking the respectable landed proprietors".⁷³

We will see later that the rise of party politics distorted some of the older political patterns.⁷⁴ It does not seem that the nature of county politics differed significantly between the highland and lowland areas.⁷⁵ Their economic interests could differ widely, however, and this could spill over into disputes between rival groups of Scots MPs in parliament.⁷⁶

The Scottish burgh MPs represented an electorate of about 1300 men in 66 Royal Burghs.⁷⁷ Edinburgh returned one MP, and the remaining burghs were gathered into fourteen groups, nine with five burghs, five with four, each group electing one MP. At parliamentary elections, the council of each burgh chose a delegate and the delegates in a burgh group

elected the member. In four-burgh groups, the delegate from the returning burgh had a casting vote in the event of a tie.⁷⁸ Parliamentary contests focussed on the burgh councils and the system was completely corrupt. The burgh magistrates were a tiny group. The burgh constitutions had mostly been frozen since 1707, and all had self-elective councils, so that it was usual for the outgoing council to choose the incoming one at the annual council elections. Burgh politics was thus confined to a cosy clique. Unaccountable to the generality of the inhabitants, the magistrates, who were sometimes non-resident, could do much as they wished with municipal revenues and property. They could also incur debts in the town's name and impose local taxes.⁷⁹ There was considerable variety in the condition of the burghs. Some were so small and by the late century of such economic insignificance, as to be completely under the sway of a local notable. In 1795, the great majority of the fifteen magistrates in Lochmaben were beholden to the Duke of Queensberry, some by loans of money, others through holding tenancies on his lands.⁸⁰ Lesser landowners could also exert some influence in burghs and the defeat of James Campbell's attempts to sit for the Stirling seat in 1791 was partly due to local gentlemen wishing to end his family power in the burghs.⁸¹ Many burghs retained a grasping independence, returning loyalty to an MP or local patron only for so long as he kept them supplied with favours. If he ceased to be attentive, they would desert him.⁸² Bribery, unknown in county politics, was widely practised in the burghs. An analysis of the Scots constituencies in 1810

lists seven burgh groups which "will generally be carried by any candidate not sparing his purse, and supported by government".⁸³ Even this fails to convey the unpredictable nature of burgh politics. The Stirling election of March 1791, mentioned above, demonstrated this. Most corrupt of the burgh seats - "the fullest purse will carry it" - three candidates appeared, all claiming government support.⁸⁴ Government actually supported Sir James Campbell but were slow to publicise it⁸⁵ and no end of writing in Campbell's favour could reverse the ill effects of this.⁸⁶ It was a violent contest, with the kidnapping of Queensferry magistrates to prevent their voting for the delegate, a riot at Inverkeithing and serious irregularities in the election of the Culross delegate. Government even had to endure the mortification of seeing its local officials opposing Campbell, who eventually lost.⁸⁷ Not surprisingly, the state of affairs in the burghs, like the counties, led to demands for reform.

For most of the period of this study, the nature of the political system was under question. We shall see that from 1792 a considerable number of the common people, totally outside the system, were demanding a share in political power.⁸⁸ Within the political nation there was discontent with the operation of the county and burgh elections and a movement was on foot to end government interference in the peerage elections. There was also pressure from the immediate fringes of the political nation, from men possessed of property certainly, but whose attentions were not always welcomed by the political classes.

The lesser landholders had been active on the periphery of county politics since the mid century. They were enabled to do this as commissioners of supply, charged with assessing the land tax. Aside from their normal business, more and more county commissioners from the 1770s had taken to holding meetings to discuss local and national affairs, such as internal defence measures or agricultural legislation.⁸⁹ The movement that arose to try and reform the county electoral system drew strength from the commissioners of supply who particularly supported those among the reformers aiming for a wider franchise.⁹⁰ At these county meetings the commissioners stood on an equality with the freeholders and while this was approved of in some circumstances - for instance when the counties were voting loyal addresses - it was not always to the taste of the freeholders. This is clear from a description of a Dumfriesshire meeting of 1806

"... the court of commissioners of supply, where your Lordship knows, the wishes of gentlemen are often controuled [sic] by the very inferior landed proprietors, while the freeholders of a county may be supposed more under the influence of a better judgement..."⁹¹

The commissioners' activities went some small way to broadening the political nation but their wider aspirations were blocked from 1793.

The appearance of 'new money' became a subject of concern to the landed classes from the late 1760s, as the first men who had made money in trade or imperial service began to return home in numbers. Some, possessed of considerable wealth, started to exploit the failings of the county electoral system, buying up

estates and creating votes. The threat that these new men - "nabobs" - were thought to pose to the influence of established landed families has recently been examined by Murdoch and Dwyer and they have identified it as one thread to the gathering support for the abolition of nominal votes in the years after 1770. This was not least because many Scots estates were entailed, precluding vote creation and putting their owners at a disadvantage to the incomers. More generally, Murdoch and Dwyer have pointed to the fear of nabobs as a well from which Dundas, championing the interests of the established families, could draw support.⁹² It is difficult to be certain how much Dundas benefited from this. It is undeniable that he spoke and wrote in a manner that shows he understood and was prepared to capitalise on the anxieties of the landed classes.⁹³ Similarly, in his years in power he did much to buttress the traditional ruling group, writing on at least one occasion of "the great aristocracy of Scotland (by which alone I venture to affirm it can be effectually governed)".⁹⁴ Equally, however, he had close ties with several 'nabobs', notably David Scott of Dunninald and James Brodie of Brodie, both of whom had made fortunes in Indian trade. In fact both men illustrate the likely reason why 'new money' did not in the end cause real upset in Scots politics. Both came from old families and both returned to their home counties to share most of the social values of their neighbours. 'Nabobs' remained a regular topic of comment throughout Dundas's period but much of it was based on snobbery. George Home could write of "Asiatick plunderers"⁹⁵ and "ill gotten

wealth"⁹⁶ and others would compare notes on incoming landowners.⁹⁷

It is likely that several, like John MacLeod of Colbecks, had to endure "jealousy of a man-of-the-purse".⁹⁸ The group as a whole, however, did not pose a substantial threat to established power and anxiety about them was replaced by more pressing fears in the 1790s.

In the long term, it was the rise of industrial society that would spell the end of the old system. The landed classes were certainly wary of "the rise of manufactures". In 1809, Buccleuch felt that industry had expanded too far, to the point where the workforce was outstripping the available food supply. Capital, needed for agricultural improvement, was being drawn off to the new industries and he pointed to regular unrest among the industrial workforce.⁹⁹ Montrose was already convinced that agricultural wealth and industry had weakened the nation's martial spirit and he wrote of the "evils of commercial prosperity".¹⁰⁰ The impact of the French Revolution undoubtedly furthered this general concern about the workforce. Nonetheless, the impact of industrialization should not be exaggerated. Scotland remained a largely rural economy until after 1820. The major economic change in Dundas's lifetime was in agriculture. The roots of the Scottish agricultural revolution go back into the seventeenth century¹⁰¹ and change began to gather pace after 1750. Yet it was the price rises during the war years 1793-1815 that financed the greatest burst of improvement. In the lowlands the old system of communal farming was being steadily replaced by single tenant farms,

while in the highlands the first clearances were beginning. Overall, there was a gradual move to the concentration of land in even fewer hands and to a rise in estate rents. This served to strengthen the economic power of the landowners. Certainly the future was augured by the Carron Ironworks, erected from 1759 and by the appearance of cotton mills from 1778. But the industrial revolution proper was still on the horizon and most 'industrial' concerns such as weaving, salt and coal extraction, distilling and brewing, were geographically dispersed and often controlled by, or beholden to, the landed interest.¹⁰² While it is true that some merchants and manufacturers found their way into the burgh reform movement, there was as yet no large, prosperous urban middle class able to make effective demands for reform.

In one narrow way, the new commercial world did press into the old political game. As trade and commerce expanded, so the banks became more important. In Dumfries, the provost, David Staig, was local agent for the Bank of Scotland. For some years he made himself the principal politician there by "prostituting the paper of that company for political purposes".¹⁰³ His powers of credit over his fellow councillors allowed him to bid defiance both to Buccleuch and Queensberry, who had traditionally vied to direct the burgh's affairs.¹⁰⁴ The leading men in St Andrews similarly derived some influence from control of the Bank of Scotland's agency there.¹⁰⁵ It is almost certainly the potential for misusing credit in this way that explains the concern taken by politicians in the affairs of the Edinburgh banks.

In conclusion, it is clear that the electoral system in Henry Dundas's time was undoubtedly corrupt and archaic, having been framed for the society of late seventeenth-century Scotland. Yet it was not wholly anachronistic and it still gave a reasonable reflection of the realities of political power. We will see time and again that the landed classes were prepared to accommodate some of the legislative demands of the emerging commercial classes, mainly in economic matters. Otherwise economic power and social reaction combined to defeat demands for reform. It is a striking illustration of the continuity of the landed elite's power, that a political state of the Scots counties, drawn up in 1810, would easily have been recognised by a Scots politician of forty years before.¹⁰⁶

The very narrowness of this political nation made it possible to conceive of one man being able to understand and represent its wishes. The constitutional relationship between Scotland and England came very close to creating a necessity for such a man.

The Union of 1707, in transferring the centre of Scottish politics to London, served to conclude the process by which the direction of Scottish affairs had been moving South since the Union of the Crowns in 1603. Yet the Union was only a legislative one and was complete only in a narrow sense. The Scottish political nation gave allegiance to the Westminster parliament but the Scottish church and judiciary remained separate. The social structures of both countries were similar but there were wide cultural differences and the Scottish economy

was much the weaker of the two until past the mid-century, when it had completed its re-orientation away from older markets towards those now open in England and the Empire. The political elites in both countries would grow together as time advanced but the process was coming to fruition only at the end of the century. While this coming-together is one theme in this study, it was still the case that Scots politicians throughout the period would have political objectives sometimes quite different from their English counterparts.

In the aftermath of the Union, the principal problem for Scots and English politicians was how to integrate the politics of the two nations. The Treaty of Union had fixed the Scottish representation at Westminster to the arbitrary figure of 45 MPs and 16 representative peers.¹⁰⁷ In London, the Scots would commonly act as a group where Scottish concerns were involved, usually planning their strategies at the British Coffee House.¹⁰⁸ In the defence of Scottish interests, they would regularly demonstrate cohesiveness in what one Scot called

"that jealous irritability of temper we have been so long, and I am inclined to think rather justly accused of, as a distinguishing characteristick [sic] national feature...".¹⁰⁹

In the factional world of British parliamentary politics this undoubtedly gave them a potential importance beyond their mere numbers and it made their affiliations of some interest to English politicians. This importance was magnified when governments were weak and where the actions of only a few MPs or peers could spell the difference between continuance or collapse for a minister.

The above were political considerations at Westminster. At the level of executive government, the different forms of church, law, administration and local politics in Scotland made the country a mystery to most English politicians. The departments of state in London had little idea about Scots affairs¹¹⁰ and this could make it difficult to decide on filling the many Scottish offices in government's gift. We shall see repeatedly that government could have considerable influence in deciding Scottish elections but it required local knowledge to render such influence effective, and this was not always available in London.

The abolition of the Scottish Privy Council in 1708, engineered by the Scottish Squadrone party, had left a vacuum in Scottish government. English government could not look to a body of official advisers for information. Occasionally, there was a Scottish Secretary of State, with the nominal direction of Scottish affairs. In practice his power depended directly on his own personal influence. This was most obviously the case with the Marquis of Tweeddale, Secretary 1742-6. With no real influence in Scotland and little support from government, he had to watch impotently as the third Duke of Argyll retained the lead in Scottish affairs.¹¹¹ The office finally lapsed in 1746 and thereafter most Scottish business was transacted either at the Northern (later Home) Department or at the Treasury. For the decision making process in governing Scotland, the English ministers were left with a choice. They could delegate powers of patronage and influence to an individual to superintend Scotland as a 'manager'. The manager could have cabinet rank, or he might have influence without

office. Alternatively, ministers could opt to govern Scotland as a Northern county of England, directly from the state offices in London. Obviously neither form of control need be exclusive and a manager might be subjected to regular interference from London, as was the Duke of Argyll when he managed Scotland for the Duke of Newcastle.¹¹² There were pros and cons to each form of administration and the changing circumstances of British politics caused changes in the nature of Scottish government.

The existence of a manager presented problems both to his Scottish subjects and his London masters. To give him power in Scotland, the London administration had to delegate some or all of the Scottish patronage to his distribution. Inevitably in the working of eighteenth century politics, with its ties of obligation, this would increase his personal influence. This was of little matter while his relations with ministry remained friendly. But if the two fell out, the manager might wield this delegated influence against his masters. The possibility was long recognised and was enunciated by a Scots MP writing to the Home Secretary, Lord Pelham, in 1802:

"I offered myself very early to your Lordship as at all times ready to contribute any information or explanation in my power, that might facilitate your arrangements for holding in your own hands the direct and personal management of Scotch affairs without any of those dangerous delegations, so injurious to Scotland - and so hazardous for the administration under which they are permitted - involving an Imperium in Imperio, and erecting a powerfull [sic] machinery ready to be used for the demolition or support of ministers - as may suit the politics or inclinations of the person to whom the authority is delegated".¹¹³

For the Scots, the system of management had two potential abuses. It meant the partial or total exclusion from the fount of patronage for any opposed to the manager personally. If his opponents could secure favours directly from government, this was their gain. But the stronger the manager's influence at Westminster, the tighter was his grip on Scots patronage and the more total was his opponents' exclusion. The term "Dundas Despotism"¹¹⁴ refers as much to the manipulation of the electoral and patronage system as it does to the repression of the Scots radicals.

An all-powerful manager could also embarrass his friends. Just as he could use his influence against his London colleagues, so he might use it to lord it over his Scottish constituents. This is one of the main themes behind the unrest caused by Dundas in 1785 when he tried to restructure the Court of Session.¹¹⁵

A strand of Scottish opinion disliked management on principle, since it prevented a full completion of the Union by placing Scottish government on a footing different from that of English.¹¹⁶ These views were still in evidence late in the century, Boswell objecting that it degraded Scotland to have a manager

"bringing the people of Scotland to St. James's and the Treasury, as a salesman drives black cattle to Smithfield. Poor dumb beasts! Why should they not walk up themselves, and bellow as they may incline?"¹¹⁷

Needless to say, there were numerous advantages to be had for both Scots and English politicians from having a manager. If the manager had real influence, his Scots supporters could count on getting favours. It also meant that Scottish interests might be

properly protected by otherwise indifferent English governments. At a minor level this could involve pressing Scottish business stuck in the wheels of bureaucracy. More important, it could stop English intrusion. In 1785, at the height of the uproar surrounding the Court of Session reform, the Marquis of Buckingham advanced a candidate for the vacant gown in the Court. George Home's comment suggests that a manager was expected to enforce standards:

"... to give it to the Marquis of Buckingham [sic] friend would be a most improper nomination and if the power and influence of our present Scotch ministers is not sufficient to prevent it, it affords an unanswerable objection to the proposed alteration in the Court".¹¹⁸

The management system made life easier for Scots politicians, who at least knew where to turn when they wanted something.¹¹⁹

It was also easier to negotiate with a fellow Scot, as Lord Seaforth explained to Melville:

"I have an idea that you will & indeed must see this in the proper light - but I feel it difficult to explain it to English Ministers & indeed I cannot with any of them go so confidentially into the minutiae as I have to you".¹²⁰

From an English point of view, appointing a manager meant that difficult matters could be dealt with by a man experienced in Scottish affairs. Dundas told Boswell that a manager was of benefit to government:

"He said it was better for the country, a salesman, as I called him; better for individuals not. For when all could scramble, they would have a chance [to] get more for themselves and their friends, without regard to merit. Whereas an agent for government must distribute to the best purpose. He has a trust".¹²¹

Having outlined the broad principles of 'management' it is necessary to anticipate a little and to examine Dundas's methods in detail. He was one of the most successful of the managers but he understood that he was only the latest of several.¹²² The Argyll family had managed Scotland successively for Walpole and Newcastle, and Stuart Mackenzie had done the same for Bute and Grenville. From 1765, there had been a hiatus. With no pressing domestic issues and a series of reasonably stable ministries, the Scottish politicians could be left to their own devices. No manager was necessary and Scotland was therefore run directly from the state departments in England.¹²³ When management was resumed in 1783 with Dundas at the helm, some of his methods were such as his predecessors would have recognised. But there were also crucial and instructive differences. An account of these methods underpins much of the thesis that follows.

The two basic duties of a manager were firstly to support local political alliances and groupings friendly to government and secondly to deploy the available Scottish patronage in government's best interests. Dundas's electoral operations will be discussed in later chapters. The very considerable number of offices and favours in its gift contributed substantially to government's influence in Scotland¹²⁴ but by Dundas's era they were by no means all in the direct gift of the manager. Many nominations to local revenue and judicial offices would be made by the local MP provided he was a government supporter. Dundas as manager would only become involved where a dispute

led government offices to call for his advice, or where the local MP was unfriendly to government.¹²⁵ This system predates Dundas's years of power and he inherited it, making few changes to it. It almost certainly developed in the years after 1765, when English offices, without the advice of a manager, had to work on the principle that if an MP supported government, he could expect to fill local appointments. One or two MPs would still get Dundas to do some of their business soliciting jobs about the London offices¹²⁶ and he was very often resorted to for his extra leverage in procuring more exalted favours. Overall, however, Scottish local patronage was distributed almost automatically from London and this had implications for Dundas's role as manager. Much of the work of Argyll and Stuart Mackenzie had involved chasing up government departments to forward Scottish appointments.¹²⁷ Dundas did not have this work and dealt only with major appointments in this way. Consequently London government already had machinery, in a way that it apparently had not had in earlier periods, to dispense with at least some of the services of a Scots manager.

The manager had always had a role in whipping in the Scots MPs. They would often ask Dundas whether their presence was necessary¹²⁸ but Dundas himself recognised that the crucial factor in securing their attendance was the government circular letter, sent out at the beginning of each session.¹²⁹ This too was a function for which a manager was largely unnecessary.

The day-to-day management of Scotland under Dundas was shaped by several considerations, not least his ability to visit it.

Prior to 1792 he usually managed one or two annual visits, splitting his time between Midlothian and his residence at Dunira in Perthshire. Purchased in 1783, Dunira provided both a retreat and a base from which to visit Northern allies. Most previous managers had had a highland residence and Dunira was a public symbol of Dundas's affinity with the highland landowners. On his Scottish visits, he would be mobbed by supplicants¹³⁰ and Dunira afforded a partial escape. In the late 1780s, Dundas's principal work concerned the affairs of India and Scotland and his business was easily dealt with during his long working day.¹³¹ From 1792, the onerous demands made on his time by the campaign against the radicals and then by his work as a war minister, forced adjustments on his Scottish government. His Northern visits became fewer and shorter and he came to rely more on secretaries.

From the 1770s, Dundas had employed William Bell, an Edinburgh writer, as his secretary¹³² but between 1783 and 1788, the post was empty until the appointment of Robert Hepburn, son of a Scots customs commissioner.¹³³ Hepburn was employed until December 1793 and was briefly replaced by James Chapman, until William Garthshore took over in July 1794.¹³⁴ Garthshore had tutored the Earl of Dalkeith and acted for Dundas as secretary until mid-1797.¹³⁵ His replacement, William Budge, served Dundas until 1801 and again 1804-5.¹³⁶ Unusually, and as a clear indication of the pressure of work, Budge was shadowed by two other secretaries, Frederick Colquhoun, 1797-9 and James Colquhoun, 1799-1801.¹³⁷ From 1798, Henry Scott Alves appears as a copyist and as a full secretary from 1804.¹³⁸ Dundas's Indian business was handled separately

by William Cabell until his death in 1800 and thereafter by Cabell's nephew, Benjamin Jones, and John Meheux.¹³⁹

Dundas employed his secretaries to considerable advantage. From 1792, and perhaps earlier, incoming mail was summarised in secretarial minute books and Dundas would annotate the entries, specifying the action required. Much can be learnt from these books.¹⁴⁰ Most striking is the extent to which business was delegated. Dundas would clearly do some soliciting at government offices¹⁴¹ but it was more common for him to have a secretary pursue matters.¹⁴² Often a secretary would reply to letters after receiving instructions¹⁴³ although Dundas did answer a goodly number himself. Many letters were apparently ignored.

On one view, this system was founded on the necessity of an overworked Dundas delegating his burden. From another, it indicates his strong position as a Scottish manager. Unlike Argyll, who could never fully rely on Newcastle, Dundas, as we will see later, had the assurance of Pitt's support. From this position he did not have to fear being thwarted by others operating on the government bureaucracy, and his use of a secretarial system in this way shows the confidence with which he could work.

Another consequence of Dundas's pre-occupation with revolution and war from 1792, was the re-emergence of a 'sub-minister' in Scotland. The Duke of Argyll had employed Andrew Fletcher, Lord Milton in this role and Milton had superintended Scottish affairs when Argyll was absent, serving as a point of contact for Scots wishing government action or patronage.¹⁴⁴ Prior to 1791, Dundas

managed most of his Scottish business himself. His half-brother, the Lord President Dundas, had acted as a communications link with Scotland between 1778 and 1783 but he did not continue this role after 1784. Ilay Campbell, Lord Advocate 1784-9, took the lead in Scottish legislation¹⁴⁵ but he filled no major role in patronage distribution or electoral politics. Campbell was not himself important politically¹⁴⁶ and his office as yet had few political duties.¹⁴⁷ Campbell's successor as Advocate was Robert Dundas, Henry's nephew and son-in-law. The character of the office changed under him, but this was not immediate. He had certainly dabbled in politics as Solicitor General from 1784¹⁴⁸ but still his uncle held the reins. The absence of a sub-minister became serious in 1792:

"It is a great loss to the internal government of Scotland, that there is no person in it to unite the friends of administration in any common measure... Lord Advocate is too much occupied by his official and professional business, to attend to the necessary detail... particularly in times like the present".¹⁴⁹

Dundas recognised this problem and asked George Home of Branxton¹⁵⁰ to act as a sub-minister, corresponding with the friends of government in Scotland and with Dundas in London. Home declined and thought the task would fall to Buccleuch and others.¹⁵¹ In fact it fell to the Advocate. "His abilities and acquirements were both moderate", wrote Cockburn, who would still have agreed with Ramsay's description of "a young man, whose spirit and abilities, tempered by prudence and urbanity, surprised both friends and foes".¹⁵² His prosecution of the radicals made him hated in Scotland.¹⁵³ He would regularly consult his uncle

before making major decisions and some observers had no high opinion of this.¹⁵⁴ In fact he was little different from previous sub-ministers. He would liaise with government's friends around Scotland, channelling information to Dundas¹⁵⁵ and his uncle would pass him knotty problems requiring local knowledge.¹⁵⁶ He took a personal interest in church affairs¹⁵⁷ and had some say in judicial appointments.¹⁵⁸ Otherwise, the major decisions on Scottish appointments and the concerting of electoral pacts lay with Dundas. Charles Hope, Lord Advocate from 1801 to 1804, continued the office's role as a centre of executive government but he had few of his predecessor's political duties.¹⁵⁹ These remained with the Dundas family.

While Dundas's distribution of patronage will be discussed fully in later chapters, it is appropriate to deal here with two categories of favours, both in his direct gift: East Indian jobs, and pensions. The former is particularly associated with his name and was not available to previous managers.

Dundas's use of East Indian patronage reflects his dual role as a British politician - largely ignored in this study - and as a Scottish manager. It is sometimes implied that he held the lion's share of Indian patronage,¹⁶⁰ and contemporaries accorded him much influence in it. The truth is different. Government's India legislation of 1784 created a Board of Control to supervise the East India Company's governance of India and Dundas quickly came to dominate its business. The Board had limited power to recall unsuitable appointees¹⁶¹ but nominations of writers (civil servants), military cadets, assistant surgeons and other officials

in India and China remained with the Company's 24 directors. This cannot be overemphasised.¹⁶²

Between 1788 and 1793, the directors appointed an annual average of 37 writers, 62 cadets and 24 assistant surgeons.¹⁶³ Numbers fluctuated thereafter, but the trend was upward and by 1798 they intended to appoint 29 writers and 163 cadets.¹⁶⁴ The available patronage was divided into 28 shares and of these two were given as an informal gift to the Board of Control.¹⁶⁵ In practice, this meant Dundas.¹⁶⁶ What assistant surgeoncies he received came directly from the Chairman of the directors and his deputy.¹⁶⁷ In 1792, Dundas officially had four writers to nominate and no cadets. In 1797, the numbers were six and six respectively, falling to three and six in 1798.¹⁶⁸ To these were added what he could bargain from the directors. In 1797, he obtained two cadetships from friendly directors, in addition to six from the Company.¹⁶⁹ In 1801, Dundas nominated three writerships¹⁷⁰ and the directors gave him the vast total of 36 cadets, while bargaining obtained him another seven, with three surgeoncies.¹⁷¹

The distribution of his 1801 patronage is indicative of Dundas's general use of East Indian favours. Edinburgh's Provost Fettes saw two friends off to India, Alexander Dunsmuir and David Buchan. The Aberdeenshire MP, Ferguson of Pitfour, was given a Bengal cadetship for William Donaldson Turner, and his neighbours, the Duke and Duchess of Gordon had two friends similarly rewarded. Other patrons whose candidates benefited from Dundas's largesse included the Marquis of Tweeddale, George Paterson of Castlehuntly,

Sir William Pulteney and Lady Aboyne. Scots beneficiaries predominated, but there were others as well, including the Duchesses of Gloucester and of Dorset, Lady Smith Burges and Sir William Lowther.¹⁷²

Despite the avalanche of begging letters, Dundas's patronage was limited.¹⁷³ Save for 1801, his annual appointments 1784-1801 appear to average about ten. This was not the Scotticization of East India¹⁷⁴ but within Scottish politics the impact was disproportionate. Indian appointments, especially writerships, could be tickets to great wealth and people would wait patiently for such a prize.¹⁷⁵ We have noted a few beneficiaries above and later we will meet others. Dundas's recommendation of individuals to the Indian governors was also valuable - "a letter from him would have as much weight as one from King George", wrote one official¹⁷⁶ - and it was an easy favour to bestow. He made considerable numbers of them.¹⁷⁷

If Dundas's access to Indian patronage added to his influence in Scotland, he was not the sole channel. Ten Scotsmen were Company directors between 1784 and 1802 and could be expected to forward their countrymen.¹⁷⁸ One, William Elphinstone, used his patronage to help the opposition interest in Stirlingshire.¹⁷⁹ David Scott, Dundas's friend at the India House, used his to reinforce his parliamentary seat, first in Angus then in the Perth Burghs.¹⁸⁰ The Minto family, sometimes in opposition, had access to Indian posts for their Roxburghshire allies.¹⁸¹ Clearly, if the Scottish presence in India was very marked by the end of Dundas's life, it cannot be attributed to him alone.¹⁸²

Pensions on the Scottish civil establishment were granted under the Privy Seal and formed another of the patronages at Dundas's disposal. He described his distribution of them as

"confined to persons of rank whose fortunes are inadequate to their situation, to men of literature, and to persons in indigent circumstances who from personal distress or having large families without the means of education are creditable objects of the King[']s beneficence".¹⁸³

Widows and orphans, or persons of literature might expect a pension of £100,¹⁸⁴ while an earl down on his luck could hope for £300.¹⁸⁵ Dundas always denied mixing politics in pension distribution and superficially this was true. The reality was different. The available lists¹⁸⁶ show several noble families receiving pensions and we have suggested above that this could condition their politics. Similarly, many of the indigent families on the list had got there through friends with political influence. Thus, a Mary Hamilton received a pension on the application of the Lanarkshire MP, after the principal gentlemen in the county had pressed her case.¹⁸⁷ Others were solicited on similar grounds¹⁸⁸ and it is clear that pensions provided outdoor relief for the political classes. The extent of all this should not be exaggerated. Demand always outran supply¹⁸⁹ and from 1793 the pressure of war on the available funds was so great that Dundas was advised to grant no more pensions.¹⁹⁰ For the next eight years he constantly informed supplicants that nothing was to be had¹⁹¹ and things did not ease until after 1801.

Some of those not placed on the civil establishment were put on a 'private' pension list. The composition was similar to that of the larger public list but the pensions were far

smaller¹⁹² and the list also included confidential payments to the seceding churches.¹⁹³ These pensions were paid by the Crown Agent¹⁹⁴ and may have had some connection with secret service payments. Secret service payments proper remain mysterious. Some money was used to pay loyalist writers and spies during the struggle with the radicals¹⁹⁵ and some was disbursed by the Crown Agent.¹⁹⁶ Dundas also received money directly and he would send it to Robert Dundas of Beechwood, his lawyer, to Hugh Warrender and to James Newbigging, all of whom acted in his private business. They used it variously in the 1784 election campaign and in Stirling Burgh elections.¹⁹⁷ There are hints of such money being used in Cupar politics.¹⁹⁸ The actual extent and effect of such expenditures is unclear. It clearly embarrassed Dundas and little evidence remains in his papers. It was not a topic of importance in any Scots politician's papers and this alone suggests that it was probably not of great significance.¹⁹⁹

Having discussed the principles and methods by which Scotland was governed in the years after 1707, and having emphasised something of the continuity between Dundas's 'managerial' work and that of his predecessors, it is time to give some account of his career prior to 1783.

He started political life with an excellent pedigree, the son of Robert Dundas, Lord President of the Court of Session by his second marriage to Anne Gordon of Invergordon. His father's early death placed him under the tutelage of his step-brother Robert, also to become Lord President.

Both Lord Presidents had been active politically, joining the Squadrone party of the early century in its struggles with the Dukes of Argyll. In later years the second Lord President had retreated from public affairs, even declining to be Scottish manager, when the post was offered by Rockingham in 1765.²⁰⁰ Nonetheless, the family retained a substantial political influence in Midlothian,²⁰¹ they were on good terms with the Hopetouns in West Lothian,²⁰² and Henry Dundas's mother's relatives gave them a connection in Cromarty politics. In time, marriage would prove a significant source of influence for the Dundases. The marriages of three of the second President's daughters into the families of Colt of Auldham, Hamilton of Pencaitland and Buchan of Kelloe gave the family an important interest in East Lothian. Another daughter married a Lanarkshire laird, Sir John Lockhart Ross and a fifth married Sir John Scott of Balcomie, whose death, in 1775, gave the Dundases a commanding influence in Fife.²⁰³

Henry Dundas commenced as an advocate in 1763 and undoubtedly was good at it.²⁰⁴ In time, it would give him a remarkable grasp of Scottish electoral law. He also participated fully in the debating societies of Enlightenment Edinburgh.²⁰⁵ In 1765, he married Elizabeth, daughter of David Rannie of Melville, an Indian merchant, and he received a dowry of £10,000 and the estate of Melville.²⁰⁶ In Spring 1766, while in London pleading Scottish appeals, he was appointed Solicitor General upon his predecessor's promotion. He was apparently not without rivals²⁰⁷ but it appears that the 7th Earl of Lauderdale pressed his claims.²⁰⁸ This was the beginning of Dundas's ascent but the major step

came in 1767, when he befriended the young Duke of Buccleuch.

Henry, 3rd Duke of Buccleuch commanded considerable electoral influence in Midlothian and South Eastern Scotland. Tutored by Adam Smith, he visited his Scottish estates for the first time in 1767, just after coming of age.²⁰⁹ Apparently at this time he was introduced to Dundas by the Midlothian MP, Sir Alexander Gilmour.²¹⁰ The two quickly formed a lifelong friendship and within a short time it was clear that Dundas, the Lord President and Buccleuch were acting together.²¹¹ In the normal run of eighteenth century politics, the Duke should have led the group but this did not happen. The apparent retreat of the Scots nobility from London politics at this period has been discussed²¹² and while it is likely to have been due to the individual personalities involved rather than to some general cause,²¹³ Buccleuch is certainly a case in point. He championed the cause of the Independent Peers in the 1774 election²¹⁴ but took a back seat thereafter, involving himself only in the management of peerage elections. He supervised his electoral influence in Southern Scotland and devoted much time to his estates but otherwise he avoided the national stage.²¹⁵ By contemporary standards then, his relationship with Dundas was unusual, and pamphleteers lampooned him for being 'duped' and 'led' by the Arniston family.²¹⁶

Allied with Buccleuch, Dundas began planning a political career. In 1770, Sir Alexander Gilmour, then in parliament with the support of the Dundases, was informed that Dundas would likely want the seat at the next general election. Gilmour, deep in debt, needed the seat to avoid a debtor's jail and when it became

clear that Dundas could make no provision for him, he decided to make a fight of it. When Dundas realised a contest was likely, he wrote to the Prime Minister, Lord North, to announce his intention of supporting government if elected.²¹⁷ The election did not come until 1774, and Dundas easily saw Gilmour off. Gilmour's financial problems would soon overtake him and while Dundas would later do much to help him,²¹⁸ his immediate treatment of him was considered by some to be treacherous.²¹⁹

From this period, Dundas's career falls into two overlapping phases. The first was the struggle between 1774 and 1781 to assert his and Buccleuch's claim to be leaders in Scottish politics. The second was his rise to prominence in British politics, 1774-1782.

Within months of his entering parliament, reports circulated "of the Duke of Buccleuch's imagining that he should be Prime Minister for Scotland, and that Harry Dundas was to act along with him".²²⁰ In May 1775, Dundas was appointed Lord Advocate, partly with Lord Mansfield's influence. The previous Advocate, James Montgomery, replaced Lord Chief Baron Norton, who resigned on a pension.²²¹ Dundas proceeded to use his new office to advantage. He briefly took up his predecessor's attempts to forward a bill to curtail nominal votes²²² and he was involved in legislation of 1775 that ended the legal servitude of Scottish coalworkers.²²³ Concern at emigration to America led him to controversial measures in 1775, when he ordered customs officials and JPs to act to inhibit the exodus.²²⁴ This caused murmuring, and it is the beginning of a theme used by Dundas's critics in later years: that he had a disposition to authoritarian and arbitrary measures in

pursuing his objects.²²⁵ In 1776, he supported an abortive attempt to introduce a Scots militia²²⁶ and in 1778 he was foremost in the ill-fated endeavours to grant relief to Scottish Catholics. All this activity was designed to assert his claims to leadership in Scots politics.²²⁷

We have observed that there was no Scottish manager after 1765 and Dundas clearly wanted the post. Yet Lord North showed no disposition to make such an appointment and this gave the Scottish infighting of the period the air of a sterile and artificial feud. The abdication of the Scots nobility from national politics meant that Dundas and Buccleuch faced a limited field. Bute's son, Lord Mountstuart, aspired to the lead in Scots politics and Brady has argued that he was associated with a heterogeneous group of individuals who, under better leadership, might have opposed Dundas.²²⁸ Unfortunately, despite his resentment of Dundas and Buccleuch, Mountstuart was a poor leader and inconsistent in his objectives.²²⁹ Nor is there much evidence that the Wemyss family in Fife, the Elphinstones in Dunbartonshire, Lord Fife in Banffshire, or any of the others cited by Brady were interested in such a contest or its issue. The Scots politicians were apparently indifferent. The one exception was the political grouping around Sir Laurence Dundas of Kerse, a distant relative of Henry. A former army commissary, he entered British politics in the mid-1760s and by 1768 had a considerable influence in Scotland. This grew in the next decade, and prior to 1774 he directed five MPs in parliament. In Scotland he had greater or lesser influence in Edinburgh, Stirlingshire, the Northern Isles, the Stirling and Linlithgow burgh groups, Dunbartonshire and Clackmannan. A firm

supporter of Lord North, he wanted a British peerage but it does not seem that he particularly wished to have the leadership in Scots politics. From 1774, he was under siege. The 4th Duke of Argyll and other nobles were attacking his influence in Stirlingshire and Dunbartonshire, while Dundas and Buccleuch were trying to capture Edinburgh from him.²³⁰

It is tempting to see this struggle as one between old established interests and the new commercial wealth represented by men like Sir Laurence. Henry Dundas was certainly prepared to use this sort of vocabulary in his propaganda campaign, but the struggle was essentially personal. Sir Laurence had made the mistake of offending too many people at once and he had the misfortune to be in the way of Buccleuch and Dundas in Edinburgh. In later years, Henry Dundas would indicate that he bore his opponents no ill-will and there is some evidence to support this.²³¹ Unfortunately for Sir Laurence, Edinburgh, at the centre of Scottish administration and polite society, had a peculiar importance in the politics of the country and any aspiring manager had to control it.²³² For six years the two factions battled to control the city, a struggle that ended only with Sir Laurence's death in 1781. North had studiously avoided taking sides, until Sir Laurence had moved to the opposition benches in 1779. After his death, opposition expected to lose the loyalty of his son, Sir Thomas Dundas, but he stood by them²³³ and would be an important member of the opposition based on party and ideological principles that opposed Pitt after 1783.

In 1780, an observer of the Edinburgh feuding remarked:

"This town has long been thought of consequence. My opinion is, that the way to gain it, is, not to make direct applications here, but to show the possession of power, & consideration at London".²³⁴

Henry Dundas was certainly acquiring consideration in London.

His first speeches in parliament advocated stern measures against the American rebels. In March 1777, at Buccleuch's insistence, North gave Dundas a half share in the Keepership of the Signet.²³⁵

Dundas was independent enough to oppose North's proposals to treat with the Americans in February 1778, and in doing so infuriated the King.²³⁶ In June 1778, Dundas could modestly report:

"You know I am no partial advocate for L-d N[.] and have no attachment to him, for he has none to me...".²³⁷

This situation was about to alter radically.

From the Summer of 1778, the American war, in progress since 1775, began to go wrong, with the British defeat at Saratoga and the entrance of France. Unrest in Ireland was paralleled by growing opposition in parliament led by Lord Shelburne, opposed to American independence and preaching administrative reform, and by Lord Rockingham, who desired peace, if necessary at the price of conceding independence.²³⁸ Outside parliament, there were the first stirrings of demands for political reform. This crisis was Dundas's opportunity. His talent for public speaking was well developed and he was government's best Commons debater:

"Far from shunning the post of danger, he always seemed to court it; and was never deterred from stepping forward to the assistance of ministers by the violence of opposition, by the unpopularity of the measure to be defended, or by the difficulty of the attempt".²³⁹

This talent was Dundas's principal asset and it was this that got him so far forward so quickly. Added to it, was the small following of Scots MPs that he had gathered around him.

Assessments of the size of the group are difficult. After the election of 1780, the number fluctuated between eight and twelve, drawn from Scottish and English seats.²⁴⁰ It was a respectable size, much the same as Lord Shelburne's following.²⁴¹

Equally important was Dundas's developing role as the focus for Scots MPs generally disposed to support government, although otherwise unconnected with him. By March 1779, he could boast:

"I am in so high feather at present, that I don't know how to conduct myself. It would be affectation to conceal what I certainly know to be the fact, that at this moment since last Monday night, I am held forth by administration, and allowed by opposition the - I can say no more or you would think my head turned".²⁴²

Dundas was already in pursuit of a prize, the whole Keepership of the Signet for life, a pursuit that appears to have become symbolic of his larger ambition to become North's manager for Scotland. While he felt "the administration so much more obliged to me than I ever can be to them",²⁴³ North was slow to reward him. The King was keen to tie Dundas to government and on 24 April North indicated a willingness, given time, to get him the whole Signet.²⁴⁴ By now, Dundas was government's linchpin in the Commons and in mid-May there was talk of high office for him. This he ignored, continuing to demand the Signet. When the offer finally came, the King would not make a life grant. Dundas refused it, expressed "zeal to support his government" and prepared to return to Scotland.²⁴⁵ In the end, he took the advice of

Chancellor Thurlow, who persuaded him to indicate to North and the King a willingness to obey their commands. The appointment was settled by 15 June²⁴⁶ and Dundas stayed for the close of parliamentary business. Within days, Spain joined the war against Britain and thereafter Dundas's support for North, whose problems were mounting, was unabating.

In Spring 1780, government hit a bad patch, with Dunning's motion against the influence of the Crown narrowly passing the Commons. North was dispirited, but improved parliamentary management, the shock of the Gordon riots, a temporary weakening in the links binding opposition and an equally temporary upturn in the war, all contrived to rescue the situation.²⁴⁷ Dundas was to the fore in defending government but in the Summer he was furious to learn that another Scots office had been granted for life, while he was still refused that favour.²⁴⁸

Parliament was dissolved in September but while Dundas was given government money to try and dislodge Sir Laurence Dundas from Edinburgh,²⁴⁹ it does not appear that he was accorded any general oversight of the Scottish elections. Nonetheless, he was now an influential man and one friend reported, "I am standing publicly upon the credit of your name, & have derived great benefit from it".²⁵⁰ He had some concern in the peerage election and, an augury of future difficulty, disagreed with Lord Stormont, Secretary for the Northern Department, about the selection of candidates.²⁵¹ At the close of the general election, 41 of the 45 Scots MPs were government supporters.²⁵²

By October 1780, Dundas had concluded that victory in America was unlikely and that the King should be advised to allow peace negotiations offering the Americans independence.²⁵³ Time would confirm him and some ministers in this view but the King's refusal to consider defeat was to become North's millstone. The elections had done little to increase government's majority.²⁵⁴ Dundas did not hurry to London, partly from the press of Scottish legal business, partly from pique at North's failure to get him the Signet for life. He was also unhappy at government's lack of direction.²⁵⁵

When he did return, he resumed a stout support of government. In February 1781, North appointed him chairman of a committee investigating the causes of war in the Carnatic. This was the beginning of his fascination with Indian affairs.²⁵⁶ In July, he declined North's offer of a seat at the Treasury since it would imply that either it or his Advocateship would become a sinecure. He reaffirmed his loyalty to North but also hinted that family obligations might constrain him to leave parliamentary life. The appointment would have allowed Dundas to assume the management of Indian business and there had been hints of better offices to come.²⁵⁷ Richard Rigby, the Paymaster General, suggested Dundas be appointed Colonial Secretary to try and obtain peace. Dundas dismissed the idea; the services prosecuting the war "would not easily bear the yoke of a proud hotheaded Scotch man" determined to restore discipline and efficiency.²⁵⁸ By November, his attitude had hardened and the deadlocked policy produced by a ministry who saw defeat as inevitable and a King who saw retreat as unthinkable,

became impossible for him. He resolved to oppose further expeditions to America and to speak out, regardless of the personal cost. On 28 November, he caused a sensation, with a speech calling on North to tell the King that the war must be abandoned.²⁵⁹ Privately Dundas, with the support of Rigby and others, began to press North to dismiss the incompetent Lords Germain (the Colonial Secretary) and Sandwich (First Lord of the Admiralty). Germain's removal in particular would publicly signal North's desire to end the war.²⁶⁰

Dundas was aware that demands for Germain's dismissal found no favour with the King and he was equally conscious of his unpopularity with other ministers. He was warned of Stormont's resentment:

"for that it is impossible for any body in his situation to feel pleasant in the prospect daily before his eyes of another person in possession of the confidence of Scotland, with great influence there, and the avowed favourite of the minister".

North flattered Dundas, saying he would not go on if Dundas withdrew his support²⁶¹ but still he would not drop Germain. Dundas and Rigby resorted to blackmail, refusing to attend parliament. With a dwindling parliamentary majority, North was compelled to accede to Germain's removal in February. The King was furious with Dundas.²⁶² By now, desperate to stop Dundas's awkwardness - he was still demanding Sandwich's removal - North tried to restrain his conduct by offering him the Treasureship of the Navy. Dundas would not accept it unless he also got the Signet for life, and the matter stuck.²⁶³ Given Dundas's unpopularity with the Cabinet,

he doubted whether North could persuade the King to make a life grant and this apparently suited him. He felt that his "situation of a long time had been awkward", a reference to his continued support for government despite its failure openly to advocate peace. Now he was able to say publicly that if the King did not give him a life grant, he would take it as a sign that his aid was not required in parliament.²⁶⁴

In fact Dundas continued to support North, but the end was near. The Cabinet had abandoned all plans for offensive war in December 1781, but while the King accepted this, he would not accept its implication, the recognition of American independence. Consequently ministers could not openly admit a readiness to negotiate peace, although the bulk of parliament, surveying economic dislocation and military failure, now wanted an end to hostilities. This dichotomy between what government wanted to do, and what it could admit to doing, broke its credibility. The government majority began to wither. On 22 and 27 February, opposition moved addresses calling for an end to offensive war in America. The first was defeated by one vote only, in a debate in which Dundas, as a junior minister with a licence to speak more plainly than his seniors, made it clear that Germain had been removed precisely because offensive war was no longer intended. The second division saw government defeated by 234 votes to 215, with only a little over one half of the Scots MPs supporting North.²⁶⁵

Over the next few days the King and North tried to save the government. In late February, Dundas advised North to resign²⁶⁶ but in early March he suggested plans for strengthening his

position and said he would not join any government that did not include North.²⁶⁷ By 9 March, Dundas was certain that opposition would form a government but he was determined to accept no favours from them, "unless Lord North's retreat is in every respect such as he is satisfied with". North had apparently given Dundas assurances of the Signet and he was resolved to retain his Advocateship.²⁶⁸ On 20 March, North resigned.

Dundas has often been charged with political opportunism. His relationship with North does not bear this out. Dundas supported him through thick and thin despite being denied the prize he coveted. It is equally clear that from late 1780 he was consistent in advocating the cause of peace with America, and this at some personal cost. His position as North's representative in Scotland is less clear. The limited evidence in his own papers, in the Dundas of Arniston papers and in William Eden's correspondence suggests that while he was closely involved in Scottish legal patronage from 1778, his influence did not extend much further. North appears not to have given him full status as manager. Stormont, Secretary for the Northern Department, had nominal oversight of Scots affairs but this did not stop Dundas profiting from his obvious closeness to ministers in London.

North was replaced by a ministry comprising Rockingham, Shelburne and Charles J. Fox. Dundas was allowed to keep his Advocate's post but when it became clear that the King was still unwilling to grant the Signet for life, he decided to resign. Again it was Thurlow who talked him out of it. He pointed out that the new government was so discordant that it could not endure

and eventually the King would need Dundas. And then Dundas could dictate his price. Meantime, wrote Dundas, "my interest must be compleatly [sic] at a stand perhaps forever, certainly for sometime", and he wished it to be understood that he was not in government's confidence.²⁶⁹ Dundas's precise relationship with Rockingham's administration is unclear. In the past, Rockingham had disapproved of appointing a Scottish manager and the limited evidence indicates that this was again the case.²⁷⁰ Shelburne, anxious to strengthen his own position, endeavoured privately to win Dundas's confidence but Dundas was wary and their meetings came to no conclusion.²⁷¹

At Rockingham's death on 1 July, his government had made progress in administrative reform but none at all in the pursuit of peace. The King, hating Fox whom he saw as a corrupting influence on the Prince of Wales, asked Shelburne to form the new administration. Fox and many of his supporters promptly abandoned Shelburne and the new government began to look very weak.²⁷² With the King's permission, Shelburne immediately offered Dundas the Signet for life, the Treasurership of the Navy, the management of Scotland and hinted at a Cabinet post. Dundas gave no direct answer but returned to London.²⁷³ Privately, he affected a wish only to retain his Advocate's post, with his power and influence in Scotland and he would only return to office if his family's financial independence was secured.²⁷⁴ He was in a strong bargaining position. George Home reported:

"From what I can learn[,] his assistance [sic] in the House of Commons is thought indispensable to oppose Mr Fox. This is not only Lord Shelburne's sentiments, but those of Generall [sic] Conway and the Greenvilles [sic]"²⁷⁵

Dundas initially refused the Treasurership settling for the rest. This was not enough for Shelburne, who probably wished to have Dundas tied to him in a way that he had not been to North, and he threatened to give up the government completely, unless Dundas took the Treasurership. Eventually, and only after getting North's approval, did Dundas accept. Shelburne also wanted him to resign the Lord Advocateship.²⁷⁶ Again, this may have been an attempt to bind Dundas more securely to ministers, by closing a line of retreat. By October he was prepared to resign the Advocateship and Shelburne resolved that it should go to Ilay Campbell.²⁷⁷ This fell through when Campbell, deferring to the pretensions of the Solicitor General, Alexander Murray, refused to accept. Since Shelburne was unwilling to appoint Murray, Dundas had to continue as Advocate, but he stopped taking the salary and so could at least deny that he held it as a sinecure.²⁷⁸ Murray, who apparently had Lord Mansfield's advice, also missed his chance of a vacant Session gown, given, at Dundas's recommendation, to John Swinton.²⁷⁹ In January 1783, Dundas would retreat on his agreement to resign the Advocateship. Shelburne, reported Dundas, asked "if I meant from the general tenor of my conversation to get out of politicks [sic] and leave him [at] the first fair opportunity[?]" Dundas again asserted his loyalty to Shelburne's administration and there the matter rested, but the question gives some insight into the devious Shelburne's suspicions about Dundas.²⁸⁰

Even with the support of Dundas and of Dundas's friends Rigby and the Northite William Adam,²⁸¹ Shelburne's administration was

never secure. George Home observed, "The ministry I beleive [sic] are very unsettled [sic]. Their strength consists in the dissensions of their enemies...".²⁸² Dundas knew that its survival depended on its making peace with the other powers as well as America.²⁸³ Lord North, with perhaps 120 followers in the Commons, stood aloof. Partly he was annoyed with the King's failure to repay him old election debts but principally he wished to see Shelburne's peace plans before committing himself.²⁸⁴ The opening session of parliament in December 1782 was disastrous for government supporters. They were clearly in a minority, there were dissensions among ministers concerning the interpretation of the preliminary articles of peace, and government was saved only by North's briefly putting his weight in their scales.²⁸⁵ Negotiations in the Winter failed to strengthen government. William Pitt, a relative newcomer to parliament but already a minister, refused to contemplate North's getting office - the two had clashed in debate - and so ministry could offer North nothing. Dundas tried to intercede with his old friend in early February but they quarrelled badly on some point.²⁸⁶ A second attempt a few days later by Dundas and Rigby was equally unsuccessful.²⁸⁷ The initiative had passed to opposition and Fox, unwilling to support any government including Shelburne, began to sound out North. Long arch-rivals in parliament, they now came to an understanding, forming a coalition. On the night of 17-18 February 1783, government was beaten in a Commons' division on the address to the King concerning the peace preliminaries. Shelburne's ministry, narrowly based, had had little chance and was wrecked

by the actions of Pitt in blocking North's return to office.

Initially unsure of his plans, Dundas could see by 22 February that Shelburne must fall. He decided to resign his Treasurership, but would remain Advocate and declared

"that the new administration to be made up of North[']s & Fox[']s must not at all count upon me as a political aid for I have nothing to do with their politicks [sic]. Endeed [sic] if ever I engage in politicks again with any keenness it will only be at the instigation of Mr Pitt [sic], who perhaps has no fault but too much virtue".²⁸⁸

This was prophetic. By now, Dundas was angry with North for joining Fox, feeling "nothing but regrett [sic.] and resentment at the contemptible conduct of a former friend", but he was "in raptures with Mr Pitt, his talents [,] his virtue and his integrity".²⁸⁹ These were the first seeds of the extraordinary friendship that would grow between the two men. Pitt's oratory and abilities had made a considerable impression since his arrival in parliament and on 24 February, Dundas wrote to Shelburne with a project for forming a government under Pitt. The inspiration for the plan had come from Shelburne and Dundas pressed it enthusiastically, writing of Pitt's qualities and, crucially, of the fact that being a newcomer, few could object to him on the basis of old rivalries. Dundas pressed Shelburne to put the plan to the King.²⁹⁰ The King, desperate to avoid the accession of the hated Fox, took it up and Dundas was sure Pitt would accept.²⁹¹ In fact Pitt, seeing the balance of the Commons against such an attempt, decided against trying. Dundas was despondent.²⁹² Next, the King tried to form an administration with Lord Gower, asking Dundas to lead in the Commons as a Secretary of State. Despite strong royal

pressure, Dundas declined involvement.²⁹³ Eventually the King had to turn to North, Fox and the Duke of Portland but even here there were difficulties and on 20 March, when it looked as if North and Portland might split, the King again sent for Pitt.²⁹⁴ By 24 March, Dundas was certain Pitt would form a government but the next day his hopes were gone: "How all this anarchy is to end God only knows".²⁹⁵ On 2 April, the King accepted the inevitable and Fox and North took office.

From the start, the King publicly signalled his lack of confidence in his new ministers by refusing to hear any of their requests to grant peerages.²⁹⁶ Meantime he was stuck with them. There was as yet no credible alternative government nor even an excuse, beyond his own dislike, for dismissing them.

Dundas had no intention of joining Fox and North, nor any government, unless Pitt was "an essential part" and his immediate strategy was to support or oppose government measures on their merits. Meantime he would keep his Advocate's post, considering it unlikely that there would be any rush to eject him.²⁹⁷ His tenure was not long continued. Portland, as Home Secretary, initially indicated that there was to be no Scottish manager but Sir Thomas Dundas quickly came to fill this role.²⁹⁸ The reason is not hard to find. In May, to much hilarity for he had earlier opposed it, Dundas supported Pitt's call for parliamentary reform.²⁹⁹ This and his sullen hostility in Scotland was noted. Already the core of a Scottish Whig party was taking shape and it had no wish for Dundas's continuance in power.³⁰⁰ In July, William Adam, who had followed North into the Coalition,

was warned that

"...the Advocate never had so much intrest [sic] in this country [Scotland] as at present by making them beleive [sic] he is imediatly [sic] to be in full power". 301

Once this became clear, the Coalition dismissed Dundas in August.³⁰² The Crown Agent was also sacked and Ilay Campbell, only recently appointed Solicitor General, finding himself excluded from the confidence of the new Advocate, Henry Erskine, decided to resign.³⁰³ Government now set to work to crush its Scottish opponents and in September Adam could report "great satisfaction in hearing from all my friends in Scotland that attachment to the present government daily gains ground there".³⁰⁴ In fact, the Coalition had little time left to tighten its Scottish grip.

The revelation of Fox's plan to reform the East India Company, with its apparent implications for his personal power and for the safety of the constitution, caused a political storm. Now at last there was an issue on which the political nation had been aroused and from which the King and the opposition might profit. Discreetly, through intermediaries, the King and Pitt began to negotiate. The result of these communications would bring Pitt to the fore in British politics and with him Henry Dundas.



CHAPTER ONE: REFERENCES

1. SRO, Melville, GD51/1/195/7, Melville to Robert S. Dundas, 5 February 1806 (copy).
2. Dundas held the following major offices during his career: Solicitor General for Scotland, 1766-75; Lord Advocate, 1775-83; Treasurer of the Navy, 1782-3, 1784-1800; Home Secretary, 1791-4; President of the Board of Control, 1793-1801; Secretary for War, 1794-1801; First Lord of the Admiralty, 1804-5. He was also Chancellor of St Andrews University, 1788-1811 and Governor of the Bank of Scotland, 1790-1811.
3. This thesis is very much a study of the political elite of late eighteenth century Scotland and the lower orders impinge only where they become the focus of attention to their social betters. Later we will see clear evidence of their political demands. The popular view of Dundas may be fairly gauged from a radical song, The Original Scots Ballad of Wha Wants Me? Sung in George's Square, Edinburgh During The Illuminations On the 4th and 5th of June 1792. By The Right Hon. H...y D..d. s. A copy can be seen in The Historical Register for May 1792, a copy of which is in the Scottish Room of the Edinburgh Public Library. Similar insults can be seen in a very witty manuscript version of the Creed, circulating in late 1795, of which copies can be seen at SRO, Melville, GD51/1/261/2 and at SRO, Sinclair of Freswick, GD136/1359.
4. In 1987, Alistair Campsie wrote a play in which he improbably charged Dundas with conspiring to murder Robert Burns. It provoked a correspondence in The Glasgow Herald in August and in The Scotsman in November and December displaying the full spectrum of Scottish opinion about Dundas.
5. J.A. Lovat-Fraser, Henry Dundas Viscount Melville (Cambridge, 1916).
6. Holden Furber, Henry Dundas First Viscount Melville 1742-1811 (Oxford, 1931).
7. Cyril Matheson, The Life of Henry Dundas First Viscount Melville 1742-1811 (London, 1933).
8. Esmond Wright, 'Henry Dundas "Harry the Ninth"', in History Today, VIII (1958), pp. 155-63. I have used the reprint in M.J. Barnes (ed.), Politics and Personality 1760-1827 (Edinburgh, 1967), pp. 86-103.
9. Cannon's essay is in Sir Lewis Namier and John Brooke, The House Of Commons 1754-1790 (3 vols, London, 1964), II, pp. 354-7.
10. Thorne's essay is in Roland G. Thorne, The House of Commons 1790-1820, (5 vols, London, 1985), III, pp. 635-43.
11. Michael Fry's essay, 'A Man of Good Intent?', is in A.A.M. Duncan, G. Donaldson and D. Dunnett (eds.), The Sunday Mail Story of Scotland (1988), pp. 788-91. It is a foretaste of his projected full length biography of Dundas.

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12. The Melville papers are now widely dispersed. The Historical Manuscripts Commission in Quality Court, off Chancery Lane, London, has a computer-based index of the private papers of individuals of DNB status and it holds numerous entries for Dundas. The major entries are to be found in Papers of British Cabinet Ministers 1782-1900 (The Royal Commission on Historical Manuscripts, London, 1982), pp. 16-18.
13. For a recent discussion of Namier's works and the debate that still rages, see B.W. Hill, British Parliamentary Parties, 1742-1832 (London, 1985), pp. 3-19.
14. William Ferguson, 'Electoral Law and Procedure in Eighteenth and Early Nineteenth Century Scotland' (Glasgow University Ph.D, 1957); R.M. Sunter, Patronage and Politics in Scotland, 1707-1832 (Edinburgh, 1986).
15. P.W.J. Riley, The English Ministers and Scotland, 1707-1727 (London, 1964).
16. J.M. Simpson, 'Who Steered the Gravy Train?' in N.T. Phillipson and R. Mitchison (eds.), Scotland in the Age of Improvement (Edinburgh, 1970).
17. J.S. Shaw, The Management of Scottish Society, 1707-1764 (Edinburgh, 1983).
18. Richard Scott, 'The Politics and Administration of Scotland 1725-1748', (Edinburgh University Ph.D, 1981).
19. Alexander Murdoch, The People Above (Edinburgh, 1980).
20. SRO, Melville, GD51/5/178, Robert Allan to Dundas, 12 December 1790.
21. This writer has read much of Dundas's surviving Scottish correspondence and has been alternately enraged and grateful that from 1803 Dundas (then Viscount Melville) began to burn many of his papers. He refers to this work in a letter to the Duke of Buccleuch of 7 March 1803 (SRO, Buccleuch, GD224/30/2/1). The burning process fell unduly heavily on papers relating to his early career and the vast bulk of his surviving papers relate to the years after 1790. For other evidence of his weeding, see C.H. Philips (ed.), The Correspondence of David Scott Director and Chairman of the East India Company Relating to Indian Affairs 1787-1805 (2 vols, Camden Society, London, 1951), II, p. 418, Melville to Scott, 8 May 1803.
22. Henry Cockburn, Memorials Of His Time (Edinburgh, 1856), p. 87. Cockburn was Dundas's nephew.
23. EUL, Laing Mss, Div II, 419/8, J. Logan to Rev Dr Alexander Carlyle, 12 April 1786.

24. There is an allusion to Dundas's fear that his children would encounter his estranged wife, Elizabeth Rannie, on the streets of London. His distress is plain enough: SRO, Buccleuch, GD224/30/11/4, Dundas to Buccleuch [n.d. but ?ante 1787].
25. For his courting, see Lady Louisa Stuart, Memoire of Frances, Lady Douglas, ed. J. Rubinstein (Edinburgh, 1985), pp. 83, 89.
26. Matheson, op.cit, p. 322.
27. Occasionally old schoolmates would approach him for favours: SRO, Melville, GD51/5/364/4/2, William Smith to Dundas, 2 April 1792. I have seen no evidence that he attended Edinburgh High School, although it is possible.
28. H.W. Thompson (ed.), The Anecdotes and Egotisms of Henry Mackenzie 1745 -1831 (Oxford, 1927), p. 145.
29. We will discuss Dundas's political opinions again in chapter two. He was quite definitely a "King's Man" and many of his principles were not dissimilar to those of the Treasury secretary, Robinson. See Ian R. Christie, 'The Political Allegiance of John Robinson, 1770-1784', BIHR, 29 (1956), pp. 108-122. The popular perception of Dundas's political loyalties can be gauged from Wha Wants Me? footnote 3, above.
30. Quoted in Lovat-Fraser, op.cit, p. 30.
31. Thompson, Henry Mackenzie, p. 144.
32. Thorne, HP, III, p. 639, quoting Lord Holland.
33. In 1796, he was willing, if unable, to contemplate giving a pension to Lady Glencairn, sister to one of the prominent Scots Whigs, Henry Erskine. See NLS, Melville, Ms 1055, ff. 175-6, copy extract of letter by Erskine to Lady Glencairn [n.d.] and ibid, ff. 177-8, Dundas to same, 15 November 1796 (copy). The terms in which both letters are written suggest something of Dundas's reputation for being gentlemanly.
34. In chapter two we will see the peculiarly dispassionate and pragmatic way in which he approached the task of defeating the Scots Whigs in 1790. In 1804, after a decade of bitter strife with them, Dundas (Melville) was foremost among those advocating the inclusion of Fox and his friends in a broad bottom administration.
35. See SRA, Campbell of Succoth, TD219/6/469, Melville to Ilay Campbell, Lord President, 22 March 1807, in which the Talents administration and their supporters are described as "that abominable vermin".
36. George Home commented on this: SRO, Home of Wedderburn, GD267/1/1/46, George Home to Patrick Home, 21 March 1783; ibid, GD267/1/13/1, same to same, 24 August 1788.
37. Thompson, Henry Mackenzie, p. 145; also Wright, op.cit, p. 89, quoting Dr Johnson.

38. NLS, Melville, Ms 12, ff. 147-50, notes for a speech by Melville [?March 1807]. There is another copy at ibid, Ms 1057, ff. 235-8.
39. NLS, Melville, Ms 353, ff. 98-103, Melville to Robert S. Dundas, 18 March [1811].
40. Dundas would occasionally discuss this problem. SRC, Buccleuch, GD224/30/4/24/1-2, Melville to Buccleuch, 21 May 1804 (copy): "The moment my name began to be surmised for the situation I now hold, it was most industriously propagated by my predecessor and his adherents that the Board of Admiralty and everything connected with it would be filled by Scotchmen...the motive was very obvious and very insidious, and for the sake of government and of the publick [sic] service it is necessary I should by my conduct give the lie to it".
41. NLS, Melville, Ms 1053, ff. 116-117, James Cuthbertson to [Melville], 6 August 1806.
42. See, e.g. NLS, Melville, Ms 354A, ff. 11-12, Members of Campbeltown town council to Dundas, 13 November 1794: "We firmly rely upon your patriotic exertions - The people of Scotland in general rely upon them, where the publick [sic] interest is so much concerned". SAUL, Melville papers, Ms 4478, Principal James Playfair to Melville, 31 December 1802: "I am sure your Lordship has already enjoyed a higher & nobler reward than even kings can bestow, viz. the pleasing consciousness of having, in your elevated station, performed more essential services to your country than perhaps any other statesman that has hitherto existed".
43. SRO, Melville, GD51/5/364/6/2, John Paterson, Glasgow to Dundas, 27 December 1794.
44. For the distribution of landownership, see L. Timperley, 'The Pattern of Landholding in Eighteenth Century Scotland', in M.L. Parry and T.L. Slater, The Making of the Scottish Countryside (London, 1980); also L. Timperley, A Directory of Landownership in Scotland c. 1770 (Scottish Record Society, Edinburgh, 1976).
45. This is based on a head count from Sir J. Balfour Paul, The Scots Peerage (8 vols, Edinburgh, 1904-11).
46. The precise number was subject to change. The number at any one time can usually be found in The Edinburgh Almanac, published annually. The count does not include English nobles, like Lord Titchfield, who came to hold Scottish property.
47. The major noble families are discussed in chapter two.
48. The main families represented by women were Forrester, Loudoun, Orkney, Rothes and Sutherland.
49. EUL, Laing Mss, Div. II, 461, Lord Bellenden to Lord Napier, 11 May 1796.
50. SRO, Melville, GD51/9/140, Earl of Haddington to Dundas, 12 May 1798.

51. KCRO, Stanhope papers, U1590, S5/06/22, Earl of Cathcart to Dundas, 4 April 1797, discusses the Cathcart family's pension needs in anxious terms.
52. Even a passing glance at the Scottish civil establishment lists shows the names of numerous peers and peeresses. Often a pension to a peeress was merely a way of 'concealing' a grant to the husband. Sometimes other chinks appear in the curtain. Lord Kirkcudbright was promised a pension of over £100 if he voted at the 1796 peerage election: SRO, Breadalbane, GD112/40/11/5, Breadalbane to Lord [], 16 April 1797 (copy). Such plain statements are rare.
53. EUL, Laing Mss, Div. II, 500, Lord Dalhousie to Dundas, 17 January 1797. A representative peer, Dalhousie was soliciting an appointment because of the inadequacy of his fortune.
54. Michael W. McCahill, 'The Scottish peerage and the House of Lords in the late eighteenth century', in SHR, LI (1972), p. 174, I think exaggerates the connection between rising wealth and political activity among the peers.
55. Sir James Fergusson, The Sixteen Peers of Scotland (Oxford, 1960), has a full detail of the elections and their procedure.
56. Pitt papers, PRO 30/8/121, ff. 234-5, Lord Cathcart to Pitt, 9 July 1795.
57. SRO, Melville, GD51/1/15, Lady Glasgow to Dundas, 13 August 1791: "The peerage of Scotland is at present upon a very disagreeable footing. Born as they were to a hereditary seat in their own house before the Union they cannot but feel the humiliating difference now when so few of their body can be electing [sic]". See also Pitt papers, PRO 30/8/157, ff. 351-4, Dundas to Pitt, 28 January [1784], which discusses peers unwilling to stand at elections.
58. McCahill, op.cit, p. 176, lists them. They were Abercorn, Atholl, Breadalbane, Cassillis, Eglinton, Galloway, Gordon, Lauderdale, Moray, Morton, Queensberry and Stormont.
59. SRO, Melville, GD51/1/55/2, Dundas to Earl of Aboyne, 29 May 1800 (copy).
60. Some of these themes are explored in Michael W. McCahill, 'Peerage Creations and the Changing Character of the British Nobility, 1750-1830', in English Historical Review, XCVI (1981), pp. 259-84.
61. SRO, Melville, GD51/1/198/21/31, Kellie to Melville, 19 October 1805; ibid, GD51/1/198/21/33, Melville to Kellie, 19 October 1805 (copy).
62. See Sir C.E. Adam (ed.), View Of The Political State Of Scotland In The Last Century (Edinburgh, 1887). This gives personal details for most of the 2662 voters.

63. The county franchise and its operation is discussed by W. Ferguson, 'The Electoral System in the Scottish Counties Before 1832', in David Sellar (ed.), Miscellany Two (Stair Society, Edinburgh, 1984), pp. 261-94. This is a distillation of parts of the same author's thesis (above, note 14).
64. For an explanation of valued rent, see chapter four, below.
65. For the mechanics of vote creation, see Ferguson, 'Electoral System', pp. 277-8.
66. Namier and Brooke, HP, I, p. 39.
67. Dundas particularly commented on the ties of kinship and loyalty that bound together the Argyll interest in 1775 and the Hamilton interest in 1811: SRO, Melville, GD51/1/196/9 [Henry Dundas, Lord Advocate] to [Duke of Argyll], [n.d. but 1775]; NLS, Melville, Ms 1, ff. 232-3, Melville to Lord Douglas, 30 January 1811 (both copies).
68. Sir James Fergusson, 'Making Interest' in Scottish County Elections', in SHR xxvi (1947), pp. 119-133, gives some impression of the way in which politics based on personal loyalty were being overlaid with loyalties purchased by patronage. If anything, Fergusson underestimates the importance of patronage. A more recent account accords more importance to patronage, while emphasising that the conferring of favours had to be done gracefully and decently, conformably to social etiquette. Properly done, it represented a favour and not a bribe, or so the social convention ran. Needless to say, most people clearly understood the underlying reality of such transactions: Sunter, Patronage and Politics, chapters one to five.
69. SRO, Melville, GD51/9/30, Duke of Buccleuch to Dundas, 10 December 1791.
70. SRA, Campbell of Succoth, TD219/65/10, Melville to Ilay Campbell, Lord President, 7 April [1806], recounts Melville's anger and hurt at the Balfours of Balbirnie, who, despite numerous favours from him, were non-declarants when he was out of power and canvassing for a friend in the county election in Fife.
71. For the counties see the individual histories in Namier and Brooke, HP, I, passim and Thorne, HP, II, passim. There are some detailed case studies in R.M. Sunter, Patronage and Politics, chapters six to nine.
72. Ayrshire politics is one of the main themes in F. Brady, Boswell's Political Career (London, 1965). For Stirlingshire, see R.M. Sunter, 'Stirlingshire Politics, 1707-1832' (Edinburgh University Ph.D, 1971).
73. SRO, Melville, GD51/1/198/3/45, Hugh Mosman to [Henry Trotter], [n.d, but February 1811].
74. See chapter two.

75. Ferguson, 'Electoral Law', p. 522.
76. We will discuss this in the particular context of distillery legislation in chapter four.
77. Thorne, HP, I, p. 77. This figure of course represents the electorate only at one point in time. Behind the council of the day was the council in waiting, an equal number of individuals. See further on in the text.
78. There is an account of the burgh political system in Sunter, Patronage and Politics, chapter ten and in W. Ferguson, 'Dingwall Burgh Politics and the Parliamentary Franchise in the Eighteenth Century', in SHR, xxxviii (1959), pp. 89-108.
79. These abuses are discussed in H.W. Meikle, Scotland and the French Revolution (Glasgow, 1912), p. 19 and John Cannon, Parliamentary Reform 1640-1832 (Cambridge, 1972), pp. 112-3.
80. NLS, Melville, Ms. 1, ff. 43-6, "Remarks on the Political State of the Burgh of Lochmaben", [1795]. Inveraray, dominated by the Argyll family and Dornoch by the Sutherland, were in a similar situation.
81. SRO, Melville, GD51/1/198/10/32, Sir William Erskine to [Dundas], 7 May 1791.
82. Ferguson, 'Dingwall Burgh Politics', p. 107.
83. NLS, Melville, Ms 1, ff. 206-9, "Sketch of the political interest in Scotland", [November 1810]. Dating from SRA, Campbell of Succoth, TD219/6/476, Melville to Sir Ilay Campbell, 3 March [1811].
84. SRO, Melville, GD51/1/198/10/21, Sir William Erskine to [Dundas], 7 April 1791 (from which the quotation comes); ibid, GD51/1/198/10/23, A. Maconochie to [Dundas], 11 April 1791.
85. SRO, Melville, GD51/1/198/10/26, A. Maconochie to Dundas, 18 April 1791; ibid, GD51/1/198/10/38, William Stewart to Dundas, 28 April 1791.
86. SRO, Melville, GD51/1/193/10/15, Dundas to Colonel J.F. Erskine, 2 April 1791 (copy); ibid, GD51/1/198/10/25, Robert Hepburn to A. Maconochie, 14 April 1791 (copy).
87. SRO, Melville GD51/1/198/10/29, Sir James Campbell to Dundas, 1 May 1791.
88. This is one of the main themes in chapter three.
89. Ann E. Whetstone, Scottish County Government in the Eighteenth and Nineteenth Centuries (Edinburgh, 1981), pp. 69-70, discusses the rise of the county meeting.
90. County reform and its supporters will be discussed in chapters two and three.

91. SRO, Melville, GD51/1/198/7/15, William Johnstone Hope to [Melville], 6 May 1806.
92. A. Murdoch and J. Dwyer, 'Paradigms and Politics: Manners, Morals and the Rise of Henry Dundas 1770-1784', in Dwyer, Murdoch and R. Mason (eds.), New Perspectives on the Politics and Culture of Early Modern Scotland (Edinburgh, 1982), pp. 210-48. Some of the points made are developed in a further article by the same authors: 'Henry Dundas revisited but not revised', in Studies on Voltaire and the Eighteenth Century, 256 (1988), pp. 325-33.
93. This point is very clear from the copy of a letter written by Dundas to the Duke of Argyll at some point in 1775, explaining his motives in pressing for a bill to reform the Scottish electoral laws and to annihilate nominal votes: SRO, Melville, GD51/1/196/9.
94. SRO, Melville, GD51/1/195/29, Melville to Robert S. Dundas, 16 November [1807].
95. SRO, Home of Wedderburn, GD267/1/4/9-10, George Home to Patrick Home MP, 22 July 1784.
96. SRO, Home of Wedderburn, GD267/3/11/15-16, George Home to Patrick Home MP, 15 July 1784.
97. See, e.g., SRO, Buccleuch, GD224/659/3/4, Adam Ogilvie, Branxholm to Buccleuch, 5 April 1787, concerning a nabob moving into Roxburghshire; SRO, Leith Hall, GD225/Box 32/19/31, George Carnegie to Andrew Hay, 20 October 1788, discusses nabobs buying into Angus.
98. DCRO, Sidmouth, 152 M, C 1802, OZ 60, Colonel John MacLeod of Colbecks to Addington, 13 July 1802.
99. The Duke's views are recounted in SRO, Buccleuch, GD224/522/3/90, William Cuthill to George Maxwell of Broomholm, 4 January 1809.
100. Pitt papers, PRO 30/8/160, ff. 265-6, Montrose to Pitt, 15 December 1794.
101. See I.D. Whyte, Agriculture and Society in Seventeenth-Century Scotland (Edinburgh, 1979).
102. Some of the points in the above passage have been drawn from R.H. Campbell, 'The Landed Classes', in T.M. Devine and R. Mitchison, People and Society in Scotland, Volume 1, 1760-1830 (Edinburgh, 1988), pp. 91-108.
103. SRO, Buccleuch, GD224/580/1/3/24-31, Memorandum by Joseph Gillon to Duke of Buccleuch [n.d. but ante 18 June 1812].
104. SRO, Buccleuch, GD224/580/1/3/7, Convener John Ferguson to Lord Dalkeith, 1 December 1806. For Staig, see John J.A. Brown, 'David Staig' in Scottish Banker's Magazine, XLV (1954), pp. 210-17. The author was not aware of the connection between Staig's bank job and his political power.

105. SAUL, Melville papers, Ms 4781, Principal George Hill to Dundas, 15 February 1799.
106. See references at note 83.
107. The 45 MPs were divided between 15 groups of burghs and 33 counties. Only 30 counties could be represented at any one time and six of them, Bute and Caithness, Clackmannan and Kinross, Cromarty and Nairn, were paired, each returning a member to alternate parliaments.
108. Pitt papers, PRO 30/8/318, ff. 138-9, William McDowall, MP to Pitt, 11 June 1797, describes the normal way in which Scots politicians would plan their activities in parliament.
109. Dundas of Arniston papers, NRA(S) Survey 77, [? Baron George Buchan Hepburn] to Governor Houston, 16 March 1803 (copy). For earlier evidence of the cohesiveness of Scots parliamentarians, see Riley, op.cit, p. 118.
110. Murdoch, People Above, p. 4. This point will also be developed in chapters four and five.
111. Scott, op.cit, pp. 453-97 discusses Tweeddale's unhappy tenure of office.
112. For Argyll and Newcastle, see Murdoch, People Above, chapter three.
113. BL, Pelham, Add Mss 33109, ff. 7-10, Colonel William Fullarton, MP to Pelham, [n.d. but ante 3 January 1802]. For the general point about the dangers of delegated power, see Simpson, op.cit, p. 49.
114. I am not sure to what extent the phrase was used in Dundas's lifetime. Boswell may have helped coin it (A Letter To The People Of Scotland (London, 1785), p. 84) but it does not seem to have entered general use. The common phrase was, apparently, "The Dundassian Domination": BL, Pelham, Add Mss 33109, ff. 7-10, Colonel William Fullarton, MP to Pelham, [n.d. but ante 3 January 1802]. Occasionally the nickname 'Harry the Ninth' is encountered: SRO, Leith Hall, GD225/Box 32/19/54, Laurence Oliphant of Gask to Andrew Hay of Rannes, 8 January 1789.
115. See chapter two.
116. Murdoch, People Above, p. 10.
117. Boswell, op.cit, pp. 9-10. Earlier, Boswell wrote (p.8) "But indeed, our country is at a miserable ebb, when its great and good families are totally indifferent about every public concern, and have so little spirit, even as to their private concerns, that they never advance, like men, to the fountain head of government, but indolently or timidly suffer all to be done by some person or other who for the time is brought forward a minister for Scotland". See also Boswell's opinion in I.S. Lustig and F.A. Pottle (eds.), Boswell: the applause of the jury, 1782-1785 (London, 1982), p. 144.

118. SRO, Home of Wedderburn, GD267/1/10/67, George Home to Patrick Home, MP, 28 May 1785.
119. Murdoch, People Above, p. 11.
120. NLS, Melville, Ms 1054, ff. 7-8, Lord Seaforth to Melville, 23 February 1808.
121. Lustig and Pottle, op.cit, p. 145.
122. SRO, Melville, GD51/1/139, Melville to Huskisson, 7 April 1809 (copy). In this letter Dundas compares himself to the 3rd Duke of Argyll.
123. This period is described in Murdoch, People Above, chapter six.
124. We shall examine the power of government influence in chapter two.
125. The full details of this nomination system by local MPs will be discussed in chapters four and five.
126. The Fife MP, Colonel William Wemyss and the Aberdeen Burghs MP, Alexander Allardyce were two such: SRO, Melville, GD51/6/813/3, memorandum by Colonel Wemyss [15 December 1787]; ibid, GD51/5/364/4/5, memorandum from Mr Allardyce, 6 July 1792.
127. Murdoch, People Above, p. 9.
128. EUL, Laing Mss, Div. II, 500, Dundas to Robert Dundas, Lord Advocate, 15 November 1794, shows Dundas discussing the summoning of MPs to parliament. For MPs detailing their inability to attend on various occasions, see NLS, Melville, Ms 1058, ff. 53-4, Sir John Stuart to Dundas, 15 May 1798; SRO, Melville, GD51/1/49, Colonel Simon Fraser to Dundas, 13 April 1799.
129. SRO, Melville, GD51/1/63/3, Dundas to Addington, 14 October 1802, (copy), discusses the government circular letter for summoning MPs and peers. For its importance, see also Pitt papers, PRO 30/8/131, ff. 76-7, William Dundas to [Pitt], [December 1805].
130. See SRO, Home of Wedderburn, GD267/3/15/4-5, George Home to Patrick Home, MP, 3 February 1788; BL, Huskisson, Add Mss 38735, ff. 110-113, Dundas to Huskisson, 27 August 1798.
131. For an account of her brother's hectic work schedule in an apparently typical four day period in 1786, see SRO, Bonar, MacKenzie and Kermack, GD235/13/3/18-19, Christian Dundas to Lady Arniston [n.d. but 1786].
132. Several samples of Bell's work can be seen in the Arniston letterbooks at SRO, RH4/15. In late 1789, Dundas was trying to get him an Edinburgh post (HMC Fortescue, I, p. 535, Dundas to W.W. Grenville, 19 October 1789) and when he died in 1804, he was Clerk of the Stores in the King's household in Scotland (SRO, Home Office Correspondence (Scotland), RH2/4/89, ff. 76-7, Charles Hope, Lord Advocate to Charles Yorke, 18 February 1804). In the years after 1783 he seems to have acted as a business agent for Dundas (Thompson, Henry Mackenzie, p. 144).

133. For basic details about Hepburn, see J.C. Sainty, Home Office Officials, 1782-1870 (London, 1975), p. 52, and R.R. Nelson, The Home Office, 1782-1801 (Duke University, 1969), pp. 50, 63-4. His earliest work for Dundas appears to be 1788 (NLS, Melville, Ms 1058, ff. 79-80, James Ferguson, MP to Hepburn, 20 June 1788). By the late 1790s, he was in financial difficulties (EUL, Laing Mss, Div. II, 500, letters of Hepburn to Robert Dundas, Lord Advocate, 26 May and 25 July 1797). In 1804, Melville was trying to get him a post in the Scottish Stamp administration (Pitt papers, PRO 30/8/157, ff. 305-8, Melville to Pitt, 29 December 1804).
134. For Chapman, see Sainty, Home Office, p. 48 and J.C. Sainty, Colonial Office Officials 1794-1870 (London, 1976) p. 38. Some of Chapman's work can be seen in NLS, Melville, Ms 6. He did occasional work for Dundas after 1794 but he was not concerned with Scots affairs.
135. There are biographies of Garthshore in DNB and in Thorne, HP. See also Sainty, Colonial Office, p. 40. He disliked his work intensely and aimed for better things. His secretarial work was commonly slipshod. Some idea of his personal ambitions can be gauged from a bundle of correspondence at SRO, Buccleuch, GD224/663/4 and from SRO, Melville, GD57/6/1232/1, Garthshore to Dundas, 6 February 1798. He was insane for some time prior to his death in 1806 (NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 17 February 1806).
136. For Budge, see Sainty, Officials of the Boards of Trade 1660-1870 (London, 1974), p. 90; Sainty, Colonial Office, p. 38; Sainty, Admiralty Officials 1660-1870 (London, 1975), p. 113. For personal details, see NLS, Melville, Ms 1046, ff. 12-14, Budge to Melville, 17 October 1808, and ibid, Ms 1052, ff. 140-3, Budge to Lord Mulgrave, 25 October 1808 (copy).
137. For the Colquhouns, see Sainty, Colonial Office, p. 38. Their involvement in Dundas's Scottish business was limited. See SRO, Melville, GD51/2/1090/8/10, Thomas Elder, Lord Provost of Edinburgh to Frederick Colquhoun, 20 April 1798; NLS, Melville, Ms 7, ff. 194-5, Robert Dundas, Lord Advocate to same, 23 April 1798.
138. For early examples of Alves's work, see SRO, Melville, GD51/1/55/2, a copy letter of 29 May 1800 and ibid, GD51/1/17/21, a copy letter of 12 January 1801. His work in the years 1804-5 can be seen in the secretarial minute books at NLS, Melville, Ms 38-44. He would obtain a sinecure post as Master of the Scottish mint.
139. For Cabell, Jones and Meheux, see Philips, Correspondence of David Scott, I, p. 37; II, pp. 305, 329.
140. The surviving minute books are in the NLS, Melville, Mss 20-57 and cover the years 1792-5, 1797-1801 and 1804-5. The SRO has a solitary example at GD51/9/38. It is for early and mid-1794.

141. See e.g. NLS, Melville, Ms 21, entry for Lieutenant Wemyss, 14 January 1795. Dundas wrote: "Collect this and all other applications to the Admiralty and I will carry them to Lord Spencer".
142. See e.g. NLS, Melville, Ms 23, p. 11, entry under August 1797. Dundas wrote: "all such letters ought to be regularly answered. By enquiring at the War Office Mr Budge will learn how this is usually done".
143. See e.g. NLS, Melville, Ms 24, p. 66, entry for Colonel Anstruther, 8 November 1797. Dundas wrote: "write to him that I have so many applications of the same kind which have been long before Lord Spencer that I cannot make any more till they are complied with".
144. Murdoch, People Above, p. 13, discusses the work of the sub-minister with particular reference to Milton. Shaw, op.cit, chapter seven, is a lengthy essay on Milton's career and activity.
145. See e.g. Pitt papers, PRO 30/8/120, ff. 90-1, Ilay Campbell, Lord Advocate to Pitt, 26 April 1788. This shows Campbell co-ordinating Scots legislation.
146. Campbell was, for instance, pushed aside on an appointment in the Glasgow customs, normally in his gift: SRA, Campbell of Succoth, TD219/5/89, Ilay Campbell, Lord Advocate to Archibald Campbell, 6 August 1789; ibid, TD219/6/158, Dundas to [Ilay Campbell, Lord Advocate], 9 August 1789. Campbell's papers do not indicate that he took any strong political role in the 1780s.
147. Murdoch, People Above, pp. 8-9, discusses the historiography of the Lord Advocate's role in Scots politics. For Dundas's view, see SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 32, Dundas to his nephew Robert (later Lord Advocate), 23 November 1782: "They must be blind indeed who can suppose that my power in Scotland arose from my being King[']s Advocate; In my hands it was a very good concomitant, but in itself independant [sic] of talent and consequence in the House of Commons I hold it as nothing. What consequence in Scotland altho['] most respectable as Crown lawyers, did either Miller or Montgomery derive from being in that situation[?]. I doubt much if any of them ever named a tidewaiter...".
148. Something of Robert Dundas's early involvement in politics can be gauged from the papers for the years before 1792 in EUL, Laing Mss, Div. II, and from NLS, Melville, Ms 6. The office of Solicitor General was nominally 'political' with holders being changed by successive governments. Robert Dundas certainly took a concern in family electoral politics and in assisting his uncle's affairs. His successor, Robert Blair, Solicitor 1789-1806, "partook but little with the Lord Advocate in the executive duties of an officer of state": BL, Grenville, Add Mss 59259, ff. 198-207, "Sketches of the Scottish Bar", entry no. 1.

149. SRO, Home of Wedderburn, GD267/1/16/12, George Home to Patrick Home, MP, 9 December 1792.
150. We will encounter George Home time and again. A Clerk to the Court of Session he was cousin to Patrick Home the Berwickshire MP. George was a friend to Dundas and his excellent connections in the Edinburgh administrative world make his lengthy correspondence with his cousin an absolute goldmine of information and gossip.
151. SRO, Home of Wedderburn, GD267/1/5/13, ibid, GD267/1/16/14-15, letters of George Home to Patrick Home, MP, 15, 21 and 23 December 1792.
152. Cockburn, Memorials, pp. 156-8; John Ramsay, Scotland and Scotsmen in the Eighteenth Century From the Manuscripts of John Ramsay, Esq of Ochtertyre, ed. A.Allardyce (2 vols, Edinburgh, 1888), I, p. 389.
153. He knew it too. SRO, Melville, GD51/5/460, Robert Dundas, Chief Baron to Robert S. Dundas, 20 May 1809.
154. SRO, Steel-Maitland papers, GD193/1/1, Ramsay of Barnton's diary, quotes Sir James Stirling, supposedly the Advocate's friend, describing him as "a very poor insolent creature[,] weak, his opinion nothing, not worth a pinch of snuff". Meikle, op.cit, p. 32, argued that Robert Dundas "had little of his uncle's ability or force of character". There is an even harsher verdict in Bruce Lenman, Integration, Enlightenment, and Industrialization (London, 1981), pp. 100-101.
155. Parts of his correspondence with his uncle can be seen in NLS, Melville, Mss 6-8. There are numerous other letters by Robert Dundas in many parts of the various groups of Melville papers.
156. A good example of this is the way in which Henry Dundas asked the Advocate to resolve a vexed dispute of 1798 about an appointment to a Dundee stamp distributorship: EUL, Laing Mss, Div. II, 500, Dundas to Robert Dundas, Lord Advocate, 13 July 1798.
157. SRO, Melville, GD51/1/195/3, Henry Dundas to Robert S. Dundas, 17 May 1802; SRO, Home Office Correspondence (Scotland), RH2/4/216, ff. 499-510, Charles Hope, Lord Advocate to Charles Yorke, 24 August 1803.
158. This will be discussed in chapter five.
159. Charles Hope gave a succinct description of this aspect of the Lord Advocate's duties. DCRO, Sidmouth papers, 152M, C 1803, OZ 10, Hope to Addington, 2 November 1803: "at this distance from the seat of government there is an absolute necessity, in critical times, that all descriptions of men & magistrates should have some person to refer to in cases of doubt". We will see Hope's tenure of the office in chapter six.
160. Both Lenman, op.cit, pp. 81-2 and J. Steven Watson, The Reign of George III (Oxford, 1960), p. 282, come very near to this belief.

161. See SRO, Melville, GD51/1/17/69, pp. 23-7, Dundas to Sir Archibald Campbell, 13 July 1788 (copy).
162. C.H. Philips, The East India Company 1784-1834, (Manchester, 2nd ed, 1961), p. 14; SRO, Melville, GD51/1/17/69, pp. 27-31, Dundas to General Medows, 16 August 1789 (copy); ibid, unfoliated, same to Lord Hobart, 13 January 1796 (copy).
163. SRO, Melville, GD51/4/43, "Appointments by the Court [of Directors] for India from Season 1788/9 to Season 1792/3 inclusive".
164. SRO, Melville, GD51/4/88, "Proportion of Patronage of Writers & Cadets allotted to the Board[,] the Chairs & the Directors from 1791/2 to 1798/9". The figure in the text is obtained by multiplying up the figures for the several given groups. The calculation is not so easy for other years given in the document.
165. Philips, East India Company, pp. 15-16, explains the way in which the available patronage was distributed.
166. The Duke of Montrose, himself a member of the Board of Control, did not feel at liberty to solicit patronage from the directors and would turn to Dundas for it: SRO, Melville, GD51/4/773/2, Montrose to Dundas, 8 April 1800.
167. SRO, Melville, GD51/4/805/1, "State of Writers, Cadets & Assistant Surgeons", 1799-1800; ibid, GD51/4/895/2, John Meheux to Sir James Stirling, Lord Provost of Edinburgh, 9 July 1800 (draft).
168. See note 164.
169. This can be seen by comparing SRO, Melville, GD51/4/261/3, David Scott, MP to [?Dundas], 31 December [1796] with ibid, GD51/4/263, list of appointments by Dundas, season 1796/7.
170. SRO, Melville, GD51/4/1032/1, Dundas to [various individuals], January 1801 (draft circular).
171. SRO, Melville, GD51/4/785/1, "List of cadets nominated 1800/1"; ibid, GD51/4/949, William Abington to John Meheux, 13 December 1800; ibid, GD51/4/957, list of writers, cadets and assistant surgeons appointed by Dundas, 21 December 1800. In part, the additional seven cadetships were favours from directors who wished to recognise Dundas's retiral from office: SRO, Melville, GD51/4/1073/2, David Scott, MP to Buccleuch, 14 March 1801.
172. For the basic 1801 list, with patrons, see SRO, Melville GD51/4/785/1.
173. The great bulk of Indian applications made to Dundas can be seen in SRO, Melville, GD51 section 4 and in NLS, Melville, Mss 1072-4. I have not inspected the Indian material at the John Rylands Library, Manchester. At various points Dundas had his secretaries round up the applications still outstanding and their lists give some idea of the press of business. See e.g. SRO, Melville, GD51/4/90, "Applications for Writerships ... Cadetships ... & Assistant Surgeoncies", December 1799; ibid, GD51/4/262, "Applications Cadetships", [n.d. but ?February 1798].

174. A point made forcibly by Philips, East India Company, pp. 35-6.
175. Lenman, op.cit, p. 81, discusses the profits to be made in India. Sunter, Politics and Patronage, pp. 14-18 discusses the attractions of East Indian posts.
176. Quoted by Lady Anne Elphinstone in a letter to Dundas of 15 January [1798]: SRO, Melville, GD51/4/462.
177. Something of the number of recommendations is suggested by two memoranda: SRO, Melville, GD51/4/92, "Bengal Recommendations prior to 1796" and ibid, GD51/4/93, "Mem^o Letters of Recommendation [to] Madras prior to 1796".
178. Philips, East India Company, p. 36. James G. Parker, 'The Directors of the East India Company 1754-1790' (Edinburgh University Ph.D, 1977), has biographies of six Scots directors for the years before 1790: Sir James Cockburn, George Dempster, Simon Fraser, hon. William Fullerton-Elphinstone, George Johnstone and David Scott.
179. Sunter, 'Stirlingshire Politics', pp. 520-1.
180. Philips, Correspondence of David Scott, passim.
181. SRO, Melville, GD51/1/198/24/16, "List of Freeholders in the County of Roxburgh connected with India" [April 1811].
182. This point will be discussed again in chapter three.
183. SRO, Dundas of Arniston, RH4/15/6, letterbook 8, no. 26, Melville to Robert Dundas, Chief Baron, 15 December [1803].
184. Hamilton Muniments, Lennoxlove, NRA(S) Survey 2177, bundle 2221, Dundas to Duke of Hamilton, 31 October 1794.
185. DCRO, Sidmouth, 152 M, C 1802, OZ 139, Dundas to Hiley Addington, 28 June 1802.
186. The Civil Establishment Lists for the years 1770-1811 can be seen at SRO, E224/8-18.
187. Pitt papers, PRO 30/8/141, ff. 187-8, Mary Hamilton to Pitt, 29 August 1800.
188. See, e.g., SRO, Melville, GD51/7/4/64, Lady Janet Anstruther to Dundas [n.d. but 1794]. Soliciting a pension for a sister-in-law, she writes: "sure I am you could not do a more pleasing thing to all the county of East Lothian ... & it is adding a trifle [sic] to your political friends as I[']m certain you may command my brother[']s influence as far as it goes either in the towns or county".
189. The main body of pension applications can be seen at SRO, Melville, GD51, section 7, but there are numerous other applications scattered in every corner of his correspondence.

190. SRO, Melville, GD51/5/195, James Montgomery, Lord Chief Baron, to Dundas, 22 June 1793; KCRO, Stanhope, U1590, S5/06/22, Charles Long to Dundas, 6 December 1793; SRA, Campbell of Succoth, TD219/6/485, James Montgomery, Lord Chief Baron to Dundas, 2 December 1794 (copy).
191. This is the main theme of his letter to Hamilton, note 184 above. See also Pitt papers, PRO 30/8/155, ff. 252-3, Earl of Mansfield to Pitt, 9 January 1795.
192. A private pension list for 1807 can be seen at NLS, Melville, Ms 8, ff. 177-8. Perhaps the very smallness of the sums explains the private nature of their payment: see NLS, Melville, Ms 8, f. 212, Robert Dundas, Lord Chief Baron to Robert S. Dundas, 23 December 1807.
193. The payments to the seceders will be discussed in chapter five.
194. SRO, Melville, GD51/5/436. Hugh Warrender to Robert S. Dundas, 25 August 1807.
195. EUL, Laing Mss, Div. II, 500, "Memorandum for M^r Dundas from Lord Advocate", April 1794. This details disbursements to various parties helping in the anti-radical campaign.
196. I infer this from NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 7 February [1806].
197. All this is set out in a tantalising letter in NLS, Melville, Acc 9140, Melville to Robert S. Dundas, also dated 7 February 1806. Melville was clearly apprehensive about any investigation of these payments but apparently more for reasons of state than from fear of personal difficulty.
198. See SRO, Melville, GD51/1/198/10/43, 45, letters of Captain Patrick Rigg to Dundas, 28 August and 14 September 1795; *ibid*, GD51/1/198/21/22, same to same, 7 October 1795.
199. A reading of several collections of papers relating to Scots politics has turned up almost nothing concerning secret service funds. The nature of Scottish politics suggests that their use would be limited mainly to burgh politics. Namier's verdict that they were of little importance generally, seems to hold true for Scotland: Sir Lewis Namier, The Structure of Politics At the Accession of George III (London, 2nd ed, 1957), p. 234.
200. G.W.T. Omond, The Arniston Memoirs 1571-1838 (Edinburgh, 1887), pp. 176-7. Omond provides a good account of the Arniston family history and I have made much use of it in the passages that follow.
201. Ramsay, *op.cit*, I, p. 72, describes the first Lord President's Midlothian influence.

202. For relations between the Dundas and Hopetoun families, see SRO, Dundas of Arniston, RH4/15/5, letterbook 6, nos. 104-6, correspondence of Earl of Hopetoun and James Dundas of Dundas with Robert Dundas, Lord President, 25 December 1767-11 January 1768.
203. For Scott of Balcomie, see SRO, Dundas of Arniston, RH4/15/5, letterbook 6, nos. 110, 112-3, 115, correspondence of Henry Dundas, Robert Dundas, Lord President, and Scott 20 March-12 April 1773. The transfer of Scott's influence to the Dundas family after his death can be seen in EUL, Laing Mss, Div. II, 498, Henry Dundas, Lord Advocate to Sir Robert Gordon, 28 December 1775; NLS, Melville, Ms 1, ff. 1-10, letters of Andrew Stuart to Dundas and to Sir Robert Henderson, 28 December 1775-8 January 1776. See also Furber, op.cit, pp. 274-6, Dundas to Pitt, 5 February 1802.
204. See Alexander Carlyle, Anecdotes and Characters of the Times, ed. J. Kinsley (Oxford, 1973), p. 228 for the praise of a biassed contemporary.
205. Thomas Somerville, My Own Life and Times 1741-1814 (Edinburgh, 1861), pp. 40-1. See also the minutes of the Belles Lettres Society, now in the NLS, at Adv. Mss. 23-3-4.
206. Matheson, op.cit, p. 23 puts the dowry at £100,000. I prefer Boswell's estimate of £10,000: Frank Brady, Boswell's Political Career (London, 1965), p. 4.
207. SRO, Dundas of Arniston, RH4/15/5, letterbook 6, no. 96, Robert Dundas, Lord President to David Rae, 26 April 1766 (copy); HMC Polwarth, V, p. 489, John Pringle of Haining to Walter Scott of Harden, 22 April 1766.
208. Castalia, Countess Granville (ed.), Lord Granville Leveson Gower (First Earl Granville) Private Correspondence 1781 to 1821 (2 vols, London, 1916), I, p. 480; SRO, Melville, GD51/2/1091/7/107, Lauderdale to Melville, 30 July 1804.
209. For Buccleuch, see Ian Ross, 'Educating an Eighteenth Century Duke', in G.W.S. Barrow (ed.), The Scottish Tradition (Edinburgh, 1974), pp. 178-97; Alexander Carlyle, op.cit, pp. 248, 251; J.R. Oliver, Upper Teviotdale And The Scotts of Buccleuch. A Local And Family History (Hawick, 1887), pp. 363-6.
210. Eugene [Hugo Arnot], A Letter To The Lord Advocate of Scotland (Edinburgh, 18 November 1777), p. 6.
211. Eugene, op.cit, p. 3, addresses "your confederated Triumvirs". Many of the letters in the Arniston letterbooks from Dundas to the Lord President were also to be shown to Buccleuch.
212. Murdoch and Dwyer, 'Paradigms and Politics', pp. 217-8, discuss this phenomenon.

213. The political activities of the various Scots magnates will be discussed in chapter two.
214. The Independent Peers and their demands will be described in chapter two.
215. Alexander Carlyle, op.cit, p. 248, describes Buccleuch's resistance to his step-father Townshend's wish for him to remain in England.
216. See [Anon.], To the D. of B. by One of your best Friends (October 1777). A pamphlet, of which the NLS has a copy.
217. SRO, Dundas of Arniston, RH4/15/5, letterbook 6, no. 107, Henry Dundas to Robert Dundas, Lord President, 27 September 1770; NLS, Melville, Ms 16, f. 39, Dundas to Lord North, 2 November 1771 (copy).
218. NLS, Melville, Ms 1055, ff. 161-6, letters of Alexander Gilmour to George III, Thomas Townshend and Dundas, 30 August-30 October 1782; ibid, ff. 169-72, letters of George Dempster MP to Dundas, 16-17 March 1784.
219. Eugene, op.cit, pp. 5-6; [Anon.] To the D. of B., p. 7.
220. C. Ryskamp and F.A. Pottle (eds.), Boswell: the Ominous Years, 1774-1776 (London, 1963), p. 130.
221. SRO, Dundas of Arniston, RH4/15/5, letterbook 6, no. 118, Mansfield to Robert Dundas, Lord President, 30 May 1775; ibid, letterbook 7, no. 30, Henry Dundas to same, 21 November 1782; BL, Auckland, Add. Mss 34,412, ff. 337-8, Henry Dundas to William Eden, 7 June 1775; NLS, Mackenzie of Delvine, Ms 1366, ff. 222-3, Alexander Mackenzie WS to John Mackenzie of Delvine, 21 February 1777.
222. There is a bundle of correspondence concerning the county reform bill of 1775 at SRO, Melville, GD51/1/196. It is not clear why the bill was not proceeded in. It had much support.
223. The bill of 1775 should not be seen as a wholly humanitarian measure. The researches of Dr. Christopher Whatley of St Andrews University have suggested that it was supported by coal owners, who were trying to break nascent trade unions among the workforce.
224. Dundas explained his view of the problem to William Eden on 5 September 1775: BL, Auckland, Add Mss 34,412, ff. 352-9. It is also discussed in Dalphy I Fagerstrom, 'The American Revolutionary Movement In Scottish Opinion, 1763 to 1783' (Edinburgh University Ph.D, 1951), pp. 90-7.
225. Dundas records the critical comments of a Scots MP, John Johnston: SRO, Buccleuch, GD224/30/10/2, Dundas to Buccleuch, 16 March 1776. Eugene, op.cit, pp. 7-8, was even less subtle in accusing Dundas of abuse of power.

226. For the militia bill of 1776 see John Robertson, The Scottish Enlightenment and the Militia Issue (Edinburgh, 1985), pp. 130-2. For Dundas's involvement see SRO, Buccleuch, GD224/30/10/2, Dundas to Buccleuch, 16 March 1776.
227. Murdoch, People Above, p. 129.
228. Brady, op.cit, pp. 73-8. While I do not agree with all Brady's arguments, his is a stimulating discussion.
229. For Mountstuart, see also Namier and Broeke, HP, III, pp. 502-3.
230. For Sir Laurence Dundas and his career, see Murdoch, People Above, pp. 126-8.
231. This is shown in Dundas's view of Stirlingshire politics in 1790, discussed in chapter two.
232. For Edinburgh politics at this time, see Alexander Murdoch, 'The Importance of being Edinburgh. Management and Opposition in Edinburgh Politics, 1746-1784', in SHR, LXII (1983), pp. 1-16. The struggle also spilled over into a contest for the control of the directorate of the Royal Bank in 1777: Michael Fry, 'Dirty Work in St Andrew Square: Henry and Lawrence Dundas and the Control of the Royal Bank of Scotland', in The Royal Bank of Scotland Review, 159, (1988), pp. 41-6.
233. HMC Carlisle, p. 563, James Hare to Lord Carlisle, 5 January 1782.
234. SRO, Melville, GD51/1/2, Dr Adam Ferguson to [Sir John Macpherson], 12 June 1780 (copy).
235. NLS, Mackenzie of Delvine, Ms 1366, ff. 222-3, Alexander Mackenzie, WS to John Mackenzie of Delvine, 21 February 1777.
236. Namier and Brooke, HP, II, p. 355.
237. SRO, Melville, GD51/1/1, Henry Dundas to [Alexander Wedderburn], 19 June 1778 (original).
238. The opposition is discussed in I.R. Christie, The End of North's Ministry 1770-1782 (London, 1958), pp. 210-224.
239. Meikle, op.cit, p. 28, quoting Wraxall.
240. Christie, End of North, pp. 294-5, lists Andrew Stuart, Sir Adam Fergusson, Hew Dalrymple, Alexander Garden, Lord Graham (English seat), and Peter Johnston as Dundas followers. John Pringle is mentioned as possibly tied to Dundas through Buccleuch and this seems reasonable. Sir William Miller can be added to the list as also John Crawford, William Adam and John Henderson. Some of these would not be absolutely constant to Dundas. A considerable number of Scots MPs would normally follow government anyway, for reasons which will be discussed in chapter two.

241. Christie, End of North, p. 224.
242. SRO, Dundas of Arniston, RH4/15/5, letterbook 6, no. 125, Dundas to Robert Dundas, Lord President, 20 March 1779.
243. SRO, Dundas of Arniston, RH4/15/5, letterbook 6, no. 128, Dundas to Robert Dundas, Lord President, 28 March 1779.
244. Namier and Brooke, HP, II, p. 355; SRO, Dundas of Arniston, RH4/15/5, letterbook 6, no. 132, Dundas to Robert Dundas, Lord President, 29 April 1779.
245. SRO, Dundas of Arniston, RH4/15/5, letterbook 6, nos. 136 and 137, letters of Dundas to Robert Dundas, Lord President, 15 and 31 May 1779.
246. SRO, Dundas of Arniston, RH4/15/5, letterbook 6, no. 138, Dundas to Robert Dundas, Lord President, 1 June 1779; ibid, no. 139, same to John Robinson, 10 June 1779 (copy); ibid, no. 140, same to Robert Dundas, Lord President, 10 June 1779; ibid, no. 142, William Bell to same, 15 June 1779.
247. Christie, End of North, pp. 21-30.
248. HMC, Abergavenny, p. 30, no. 264, Dundas to John Robinson, 23 June 1780.
249. Namier and Brooke, HP, I, p. 84.
250. SRO, Melville, GD51/1/198/15/2, John Craufurd to Dundas, 10 September [1780].
251. Matheson, op.cit, p. 67.
252. Christie, End of North, p. 163.
253. SRO, Melville, GD51/1/3, Dundas to Chancellor Thurlow, 6 October 1780 (copy).
254. Christie, End of North, p. 163.
255. Matheson, op.cit, p. 67; HMC, Abergavenny, p. 38, no. 321, Dundas to John Robinson, 3 November 1780.
256. Interestingly, Dundas's half brother, Adam, who had died some years before, had commanded a ship at Calcutta (NLS, Melville, Ms 1046, ff. 24-31, James Cheape to 2nd Lord Melville, 28 April 1824). Perhaps it is here, or from his father-in-law, that he acquired his taste for Indian business.
257. SRO, Melville, GD51/1/4, Dundas to John Robinson, 10 July 1781 (copy) (The original is at HMC, Abergavenny, p. 42, no. 367); SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 8, Dundas to Robert Dundas, Lord President, 12 July 1781.

258. SRO, Melville, GD51/1/5/1, Richard Rigby to Dundas, 22 July 1781; ibid, GD51/1/5/3, Dundas to [Rigby], 26 July 1781 (copy).
259. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 12, Dundas to Robert Dundas, Lord President, 29 November 1781. Christie, End of North, pp. 288-290 discusses the impact of the speech.
260. SRO, Melville, GD51/1/5/4, Richard Rigby to Dundas, 16 December 1781; ibid. GD51/1/6, Dundas to Lord North, 18 December 1781 (copy); SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 5, Dundas to Robert Dundas, Lord President, 28 January 1781 [rectius, 1782].
261. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 5, Dundas to Robert Dundas, Lord President, 28 January 1781 [rectius 1782].
262. Christie, End of North, pp. 291-7; HMC Carlisle, p. 575, James Hare to Lord Carlisle, 11 February 1782.
263. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 14, Dundas to Robert Dundas, Lord President, 11 February 1782.
264. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 15, Dundas to Robert Dundas, Lord President, 14 February 1782.
265. Christie, End of North, pp. 324-38.
266. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 18, Dundas to Robert Dundas, Lord President, 9 March 1782.
267. SRO, Melville, GD51/1/9/1-2, Dundas to John Robinson, 3 March 1782 (copy), with copy of the proposed arrangement.
268. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 18, Dundas to Robert Dundas, Lord President, 9 March 1782; see also HMC Abergavenny, p. 51, no. 445, Dundas to John Robinson, 9 March 1782.
269. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 23, Dundas to Robert Dundas, Lord President, 28 March 1782.
270. Murdoch, People Above, p. 11; SRO, Melville, GD51/6/777, Henry Erskine to Dundas, 12 November 1782 and Dundas to Erskine, 21 November 1782 (copy). This correspondence implies that Rockingham had no disposition to attend to Dundas's patronage requests.
271. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 24, Dundas to Robert Dundas, Lord President, 18 April 1782.
272. John Cannon, The Fox-North Coalition. Crisis of the Constitution, 1782-4 (Cambridge, 1969), pp. 25-6.
273. SRO, Melville, GD51/18/M7, Shelburne to Dundas, 11 July 1782 and Dundas to Shelburne, 15 July 1782 (copy).

274. SRO, Melville, GD51/1/10/2, Dundas to Thomas Orde, 6 July 1782 (copy).
275. SRO, Home of Wedderburn, GD267/1/1/30, George Home to Patrick Home, 15 July 1782.
276. Shelburne's threat has not, I think, been remarked on. George Home knew about it: SRO, Home of Wedderburn, GD267/1/19/8, George Home to Patrick Home [n.d. but late July/early August 1782]. Dundas alluded to it later: SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 35, Dundas to Robert Dundas, Lord President, 17 January 1783. For North, see BL, Liverpool, Add Mss 38,567, ff. 103-4, John Robinson to Charles Jenkinson, 25 July 1782.
277. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 27, Dundas to Robert Dundas, Lord President, 31 October 1782.
278. SRO, Campbell of Succoth, TD219/6/467, Dundas to Ilay Campbell, 21 November 1782; SRO, Home of Wedderburn, GD267/1/1/36, George Home to Patrick Home, 30 November 1782.
279. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, nos. 28 and 29, letters of Dundas to Robert Dundas, Lord President, 9 and 14 November 1782; SRA, Campbell of Succoth, TD219/6/467, Dundas to Ilay Campbell, 21 November 1782; SRO, Home of Wedderburn, GD267/1/1/34, George Home to Patrick Home, 22 November 1782.
280. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 35, Dundas to Robert Dundas, Lord President, 17 January 1783.
281. SRO, Melville, GD51/1/7/2, William Adam to Dundas, 17 August 1782. This discusses Adam's and Rigby's negotiations with Shelburne. "All I shall say is that that Noble Lord must feel himself every day more and more beholden to you for being the absolute support of his government".
282. SRO, Home of Wedderburn, GD267/1/1/34, George Home to Patrick Home, 22 November 1782.
283. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 34, Dundas to Robert Dundas, Lord President, 7 December 1782.
284. Cannon, Fox-North Coalition, pp. 28-9.
285. Cannon, Fox-North Coalition, pp. 40-4.
286. HMC Abergavenny, p. 57, no. 495, Charles Jenkinson to John Robinson, 7 February 1783; BL, Liverpool, Add Mss 38567, f. 127, Robinson to Jenkinson, 8 February 1783.
287. Cannon, Fox-North Coalition, p. 49.
288. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 40, Dundas to Robert Dundas, Lord President, 22 February 1783.

289. SRO, Home of Wedderburn, GD267/1/1/45, George Home to Patrick Home, 27 February 1783.
290. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 43, Dundas to Shelburne, 24 February 1783 (copy).
291. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 44, Dundas to Robert Dundas, Lord President, 25 February 1783.
292. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 46, Pitt to Dundas, 27 February 1783 (copy); *ibid*, no. 54, Dundas to Robert Dundas, Lord President, 27 [February 1783].
293. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 36, Dundas to Robert Dundas, Lord President, 10 [March 1783].
294. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 39, Dundas to Robert Dundas, Lord President, 21 February [rectius March] 1783.
295. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, nos. 51 and 52, letters of Dundas to Robert Dundas, Lord President, 24 and 25 March 1783 (the quotation comes from the second letter); HMC Abergavenny, pp. 59-60, no. 506, Richard Atkinson to John Robinson, 25 March 1783.
296. Cannon, Fox-North Coalition, p. 82; SRA, Campbell of Succoth, TD219/5/61, Ilay Campbell, Solicitor General to Archibald Campbell, 22 April 1783.
297. SRA, Campbell of Succoth, TD219/6/69, Dundas to Ilay Campbell, Solicitor General, 13 March 1783.
298. Boswell, op.cit, pp. 10-11.
299. Cannon, Fox-North Coalition, pp. 10, 91-3.
300. The Scottish Whig party as it developed in the mid-1780s will be discussed in chapter two.
301. NUL, Portland, PwF 37, Captain G.K. Elphinstone to William Adam [n.d. but ante 24 July 1783].
302. SRO, Melville, GD51/1/11/1, Charles J. Fox to Dundas, 1 August 1783; *ibid*, GD51/1/11/2, Lord North to [Portland], 30 July 1783. North's letter and the document cited in note 301 suggest that the last straw for the Coalition was Dundas's interference in a military appointment in Scotland.
303. Ann Arbor, Melville papers, Ilay Campbell to Dundas, 1 September 1783.
304. NUL, Portland, PwF 38, William Adam to Portland, 16 September 1783.

CHAPTER TWO

THE STRUGGLE FOR SCOTLAND, 1783-1792

"How has Dundas overtopt us all?"¹

On 11 December 1783, in great confidence, Henry Dundas informed Ilay Campbell that "A great personage viewed the [East India] Bill as it deserved, but seeing no remedy[,] was under the necessity of succumbing. He now knows that if his present ministers take [?]fit another is ready to step in and protect him". Even as Dundas wrote, the King had begun the manoeuvres that would defeat Fox's India Bill in the Lords so allowing him to dismiss the Coalition on 18 December and instal Pitt.²

From the outset, Pitt was faced with a hostile Commons majority. A quick dissolution had been intended but the state of the finance bills and the need to avoid offending the independent members by precipitately subjecting them to the expense of an election, made it necessary for the new minister to try and ride the Commons.³ For three months, ignoring repeated defeats in debate and under a constant barrage of criticism for the manner in which he had come to office, he would work to win over the independents and encourage opposition defections. As the sole minister in the Commons, this was the crucial moment of his career and it is clear that he relied much on Dundas's parliamentary skills.⁴

Dundas had secured the Duke of Gordon's support even before the Coalition was dismissed and other Scottish defections began almost immediately.⁵ In Scotland, Henry Erskine was replaced as

Lord Advocate by Ilay Campbell and Alexander Wight, Solicitor General, by Dundas's nephew Robert. As in England, Pitt was determined to show that his was to be a reforming administration and he caused a stir in Scotland in February. Refusing Dundas's advice in two customs appointments, he promoted instead two meritorious serving officers. "This is something in the Chatham stile [sic]", remarked one observer drily, "but I am afraid it is not the way to get a majority in the House of Commons".⁶

Indeed, Dundas was as uncertain of the outcome of the parliamentary struggle as others and this can be followed in his letters to Campbell. Conscious in late January of the possibility of their removal, nonetheless with the support of the King, the Lords and the public, Pitt and he were not "disposed to be moderate".⁷ With his extraordinarily Namierite view of politics, he frequently discussed a remodelled government, taking in some of the former administration but eventually concluded that this would best be done in a new parliament.⁸ In any case, events were moving in Pitt's favour and by 8 March the opposition majority was reduced to one.⁹ With the Supplies and the Mutiny Bill passed, Pitt was able to dissolve parliament on 24 March.

As early as 18 December, Dundas had been preparing for an election and told Campbell, "It must be our peculiar care to lose no ground in Scotland that can be gained ... have this important object in view". Soon after, he was trying to fix on suitable candidates for government sponsorship in some seats.¹⁰ The Scottish elections of 1784 were not obviously different from

previous ones and there was little place in the system for the public opinion that influenced some English contests.¹¹ Nor was there much evidence of East Indian patronage being deployed in Scottish constituencies.¹² Fourteen seats went to a poll and there were threats of contests in another seven.¹³ Dundas was very active, concerning himself in a variety of constituencies, trying to concert local alliances to return friends for government or guiding efforts to shake sitting opposition MPs. He was himself threatened with an opposition in Midlothian, although nothing materialised.¹⁴ The net result of the Scottish elections was the return of twenty eight members more or less sympathetic to Pitt and seventeen supporters of the former ministers.¹⁵ This was better than Dundas had hoped but it was not a triumph and he knew in advance that "if too many of our best friends had not been bound up by compromises and engagements on occasion of former elections our present election would have been a triumphant one indeed [sic]".¹⁶

The peerage election of 8 May was initially more satisfactory to ministers, returning twelve supporters and only three opponents.¹⁷ There had been a warm dispute concerning certain of the votes tendered and Lord Selkirk, inclined to Pitt's politics but currently trying to organise resistance to government interference in such elections, threatened with Lord Kinnaird to try to invalidate the whole proceeding.¹⁸ In this they failed but the government's success had belied its poor organization. Their list of candidates was not clearly known - the system of a "King's List" of the government's candidates had been dropped - and even Dundas was

less than sure-footed in his advice to the voters as to who to support.¹⁹ George Home, a clerk at the election, received eleven lists from absent peers, most of them different and in total presenting twenty seven candidates. He concluded that a few more such elections would give the peers "a surfeit of freedom, and beg directions from the minister of the day upon whom to bestow their votes".²⁰

For the next six years, government and opposition would each struggle to extend their Scottish influence. At first it appeared that opposition held the initiative. Recent historians, while accepting the underlying stability of his position, have emphasised the inexperienced Pitt's rough apprenticeship, involving repeated parliamentary defeats and embarrassments in the years 1784-6.²¹ These problems were mirrored in Scotland and gave opposition some hope that a continuance of the chronic political instability of the years after 1782 might somehow return them to power.

In early July 1784, in a show of independence, several Scots Pittites joined with their opponents to force the withdrawal of a proposed coal tax²² and in August even Lord Advocate Ilay Campbell, acting in his capacity as MP for the Glasgow Burghs, joined opposition to a duty on printed linens.²³ Dundas could only groan that the Scottish MPs "do not take matters upon a high tone and are too attentive to court a little popularity".²⁴ Over the winter he detected Scottish disaffection with Pitt's commutation and cotton taxes but was unconcerned.²⁵ The next year the pattern continued. Pitt was persuaded by Scots pressure to repeal his muslin tax²⁶ but his Irish trade proposals caused as great a storm in Scotland

as elsewhere. The Scots landed interest feared that they would encourage an easy importation of cheap Irish grain and opposition was quick to mobilise discontent in that quarter. Nor was government successful in allaying these fears:

"When administration themselves tell the landed interest they are to be injured he would be as mad as Don Quixote or as silly as his squire who would attempt to convince them of the contrary".²⁷

The Scots landowners joined the general tide against Pitt's plans for Ireland and simultaneously they proceeded to deliver a personal blow to his Scottish lieutenant's bill to reform the Court of Session.

In essence a plan to increase the salaries of the Scottish judges by reducing their number from fifteen to ten, the affair convulsed Scotland and gave Dundas a lesson he was rarely to forget. The idea was not new - it had been considered before and would be again²⁸ - but it was presented suddenly²⁹ and without any proper consultation with the Scottish legal establishment.³⁰ Ilay Campbell was immediately checked in moving the bill by the objection of Sir Adam Fergusson - himself an ally of Dundas - that it violated the Treaty of Union. For over a month the Scottish political nation went into ferment. Dr Phillipson has examined the row for the light it sheds on Scottish attitudes towards the assimilation of Scotland and England after 1707.³¹ Here another theme is of interest; the anger at Dundas's use of his position as government manager to impose his pet scheme from on high. George Home spoke for many:

"... The precipitation with which it is carried on appears to me in the highest degree impolitick and indiscreet. It is as great a mark of the insolence of power as ever I had occasion to observe in any Scots Minister".³²

Early in June, Campbell failed to persuade the Commons even to support the principle of the bill. Quite simply, the Scots members had rebelled. In retrospect, Robert Dundas, then Solicitor General, would write:

"... tho['] the interest and influence of administration, was at that time most intensive, and tho['] every exertion was used to persuade people of the necessity of some such change our most steady and zealous personal friends even deserted us,...".³³

Through the Summer and Autumn, Dundas was made well aware of the strength of Scots feeling by a series of county addresses against the bill³⁴ and by a biting pamphlet from James Boswell, attacking any reduction in the number of judges and at the same time inveighing against the system of management in Scottish politics.³⁵ In December, he finally and publicly dropped the idea. The fiasco was a mistake that he would not repeat. Never again did he try to move in potentially sensitive Scottish matters without careful consultation beforehand with representatives of the political classes.

At this early period, the Whigs opposed to Henry Dundas in Scotland were optimistic and appeared to enjoy significant support. In February 1785, they formed the club of the "Independent Friends" in Edinburgh to rally and strengthen opposition. At its first outset it had one hundred members, with a further fifty one passing through in later years.³⁶ Among the first intake would be sixteen nobles, including the Earls of Buchan, Glencairn, Kellie, Loudoun,

Dumfries and Findlater, with Lords Saltoun, Cathcart, Sempill and Elphinstone. There were also three judges, Lords Elliock, Ankerville and Swinton, twelve MPs and a body of lesser gentlemen and landowners, from all over Scotland. The whole was leavened by a group of advocates led by Henry Erskine. With James 8th Earl of Lauderdale, Erskine would dominate the Scots Whigs for almost thirty years. A witty, humane and sociable man, he combined great legal skill with an acute political judgement that can be too easily missed against the background of his years of seemingly futile opposition to the Dundas interest. He had a personal political interest in Fife, the Earl of Buchan was his brother, and by marriage he was related to the Glencairn family.³⁷

Not all the Independent Friends would be consistent in their loyalty but they still gave a fair show of strength. The Scottish Whigs were in close touch with the English opposition through Sir Thomas Dundas, who had been Portland's Scottish manager in 1783, and William Adam. Adam had early been a Northite and an ally of Dundas, but he had gravitated to Fox and by the late 1780s had the central role in the developing Whig electoral organization. Charles Innes WS was a regular go-between for the Scots and English Portlandites - at this period the Duke was still publicly perceived as the central figure in opposition - and he has left some account of his activities as a messenger and local adviser.³⁸

Opposition was tireless in seeking opportunities to discomfit the ruling party. In July 1784, they fanned resentment at rumours that Dundas had granted some unpopular pensions, causing George Home

to write that "if the story be true it perhaps would not have been very defensible in any times but in the present it would be unpardonable".³⁹ Advantage was taken of the discontent concerning the Irish proposals and the Court of Session bill and late in 1785, attempts were made to channel dissatisfaction felt by West of Scotland manufacturers into addresses against government.⁴⁰ The Faculty of Advocates became a centre of opposition activity and in May 1785 it was said that "Mr Dundas has nobody to support him in the Faculty, the bustling members of it are his declared opponents".⁴¹ It was here that the Whigs had a striking success in December 1785. Learning that Dundas intended to resign his position as Dean of the Faculty, they began a hurried canvass and obtained enough votes to secure Henry Erskine's election before the incumbent had had time to arrange the succession for a government supporter.⁴² In the years to come, Erskine would make full use of the valuable public platform that the office gave him. In this respect, the opposition could also count on support from the Scottish newspapers which were not well disposed to Pitt's government.⁴³

From the outset, opposition in Scotland drew support from two sources. For the committed, the Whigs proper, there was - as in England - a burning resentment at the manner in which Pitt had come to power. This resentment would propel the supporters of Fox for years to come. Opposition also drew significant support from a certain aversion to Dundas and his methods. By 1784, Scots had seen him in public for almost twenty years and many had formed an unfavourable opinion. In that year, Lord Selkirk reported that

"Mr Pit [sic] has lost vastly of his popularity here; I argued all I could for him through the Winter in many companies, & yet found he lost ground daily:... & his friendship or connection with your friend H[.] Dundas hurt him much more than it served him in this country; I mean in Scotland, I do not mean Edin^r & its county".⁴⁴

There is much exaggeration in this but it identifies a continuing strand in Scottish politics. A full articulation of the sentiment is to be found in "A Character of Henry Dundas" written in the late 1780s. This detailed his personal aggrandisement, his political opportunism, his manipulation of Scottish elections and his iron grip on the patronage of government. He was accused of using the Crown lawyers "as the instruments of executing vengeance" on the government's opponents and the anonymous writer concluded, "Is it possible that the English as well as Scots can remain blind to this conduct so dangerous to them all?"⁴⁵

Part of the problem from Dundas's point of view was that he was the first Scottish manager since 1765 and enjoyed the full confidence of government. It is clear that some of the Scottish élite disliked the management system⁴⁶ and to the extent that Dundas was good at his task, resentment was inevitable. This was George Home's view, writing of Berwickshire:

"The personal prejudices you suppose agt [sic] Mr Dundas in our county are nothing but words, Party must assume some name or other as a bond of union ... they have no other dislike to him at bottom but that of keeping their friends out of power...".⁴⁷

This view gives little weight to Dundas's slightly unsavoury reputation and Erskine, writing twenty years later, would accord much significance to Dundas's managerial system in shaping the politics of the time:

"... the sole and absolute management of Scotland, and the exclusive patronage in this quarter, having been left to that noble Lord [Melville], the consequence has been that Scotland has been divided into two political parties, those who supported Lord M. and those who opposed administration". 48

This opinion ignores the fact that the Scottish opposition drew strength from people who would have supported Portland from principle in any case, but it is strongly suggestive of the way in which they could benefit from a body of discontent in the country. By July 1786, Erskine felt able to provide Portland with a rosy view of the opposition's prospects in Scotland:

"I am happy to be able to assure your Grace that in spite of the weight of power against us, the friends of your administration in this part of the Kingdom have uniformly encreas'd [sic] and are daily encreasing, and in point of birth, wealth and abilities form a phalanx, of the force of w^{ch} the present servants of Government here are fully sensible". 49

The Whigs worked through the 1780s, endeavouring to broaden this base of support by associating themselves with other currents in Scottish politics.

In the light of later events, it is too easy to forget that Pitt came to power as a reforming minister and that Dundas himself had passable credentials as an innovator, most notably in his support for the 1775 bill to remove nominal votes from the Scottish Counties.⁵⁰ Indeed, Dundas seems to have been quite sincere in his support for Pitt's unsuccessful bill to reform the English franchise in 1785, explaining his motives at length to Buccleuch.⁵¹ In this climate, several groups in Scotland had reason to hope for success in their aspirations for reform.

Agitation for burgh reform had begun late in 1782, in part benefiting from the climate of reform that had followed on the disasters of the American war.⁵² The abuses in the electoral practices and financial administration of the 66 Royal Burghs had long been apparent and the burgh reformers had a popular cause. A general convention of delegates from 33 burghs met in Edinburgh in March 1784. The opposition was enthusiastic in its support and well represented on the committee appointed to draft the bills proposed to be put to Parliament. The committee also included Lord Gardenstone, a Lord of Session and a firm ally of Dundas, itself some indication of the broad nature of support for the cause.⁵³ The plan to press for electoral reform was dropped when electoral reform generally was defeated in England but for three years the reformers publicised their grievances concerning financial malpractices through a series of reports and test cases in Scotland. Finally in 1787, they took their claims to parliament. No Scots member could be found to raise the matter⁵⁴ and eventually Fox persuaded Sheridan to undertake it. From here, the reformers' hopes were slowly crushed. The clear association of their cause with parliamentary opposition had begun. Dundas, it is true, had no wish to end a state of affairs that suited him all too well and to that extent the reformers' case was sure to meet obstruction in any case. But Sheridan's pursuit of the business was half-hearted and Dundas had little difficulty in brushing him aside in repeated jousts in the following years.⁵⁵ For a long period, burgh reform languished in this frustrating limbo.

Fundamentally different was the pressure to reform the Scottish county franchise.⁵⁶ It derived significant support from within the system and unlike burgh reform, its main objective - the ending of fictitious votes - could not be exclusively identified with opposition. The multiplication of nominal votes, by which larger landowners dominated local elections at the expense of lesser, genuine freeholders, had been a grievance dating back to 1768. It had been periodically aired since then, each time with more support.⁵⁷ In 1782, after a seven year lapse, demand for reform revived, in response to blatant vote-creation by several landowners in the North and North East. The cause quickly became a national one. It was popular with small freeholders, even comparatively conservative men, and by 1785 a national committee had prepared a bill to restrict nominal votes. It was "cooly received" but George Home's observation on it points to the movement's attraction:

"... I cannot help being of opinion that votes on liferent superiorities and on wadsetts should be cutt [sic] off, It seems a necessary measure to lessen the growing aristocratical influence in this country..."⁵⁸

The county reformers also included an element who wished to broaden the franchise. This naturally came to number opposition figures such as Henry Erskine and Sir Thomas Dundas in its ranks but it also had some few government supporters including, perhaps surprisingly, a major landowner, James 3rd Earl of Hopetoun. As late as mid-1792, he advised Henry Dundas to countenance modest burgh and county reforms:

"A gradual consollidation [sic] of property & superiority - with a diminish'd qualification will give us real freeholders holding of the Crown - like King Arthur's men - firm & steady - a phalanx always ready to stand by & support King & Constitution".⁵⁹

In fact, even as he wrote, Hopetoun could see the movement in the doldrums. The strength of its support came from resentment of fictitious votes and when these were seemingly ended by a decision of the Chancellor in 1790, so the mass of the movement's supporters among the freeholders deserted. Theirs had been an essentially selfish object and they had little real interest in lessening the value of their votes by widening the electorate. Ironically, nominal votes would remain⁶⁰ but this was not immediately perceived. Those reformers who pressed for a lowering of the voting qualification would soldier on but they were now drawing support mainly from lesser heritors and commissioners of supply, a large group certainly, but so much less effective for being almost outside the political system.⁶¹

In its dabblings with the peerage elections, the opposition had much greater success. Resistance to the government practice of issuing a list of favoured candidates - the "King's List" - to the electors, had commenced in 1770 and had persisted thereafter. The "Independent Peers" as they were styled had enjoyed considerable support and were led into the 1774 election by the Duke of Buccleuch. By 1782, they had forced government to abandon the crude "King's List" system in favour of more discreet methods.⁶² One of the consequences of freer elections was the muddle and confusion that allowed success to a few opposition peers in 1784. Amidst this,

the Independent Peers continued to demand an end to all government interference in their elections. Many of these men were actually well affected to Pitt - Hopetoun and Strathmore are cases in point - but the sentiment was not exactly mutual.⁶³ In practice, resistance to government interference necessitated co-operation with opposition peers and the latter were careful to exploit this:

"Those who from principle or connexions [sic] are adverse to the present administration of course vote in a body for any person to whom government does not wish well, and they have the address to persuade great numbers [of] the real wellwishers of the present administration to join them in an association to vote against any man who has the good wishes of government, and this they call supporting the independance [sic] of the peerage of Scotland".⁶⁴

Dundas's comment had followed the result of the peerage election of 28 March 1787.

The elevation in 1786 of two representative peers, Queensberry and Abercorn, to British titles had provided opposition with a major success. While Dundas had maintained that no by-election was necessary, Stormont, for the opposition, had persuaded a Committee of the Lords that the two could not sit both as representative and British peers.⁶⁵ In the ensuing election, opposition threw its weight behind Lords Selkirk and Kinnaird, both Independents but seen as potential converts, while government, accepting that Selkirk would win, tried to elect Cathcart to the second place. Despite much effort, they failed and Kinnaird and Selkirk were victorious.⁶⁶ Worse was to follow. The election had been heated, with objections raised to the votes of two British peers, Gordon and Queensberry. These objections were taken to the Lords and on 18 May that House, with an apparent alliance between Scottish opposition and Independent

Peers, further weakened government's ability to interfere in their elections, by resolving that British peers could no longer vote.⁶⁷ Dundas was furious. "They have certainly no reason to complain now of any indecent or offensive interference ... in their elections", he told Buccleuch. He proceeded to outline a notion he had taken to show government's displeasure at such conduct by systematically denying military and other patronage to such Independent Peers as allowed themselves to be led by opposition.⁶⁸

Dundas's aspirations to strengthen government's influence in the peerage elections were little advanced by the time Dalhousie's death precipitated another by-election in January 1788. This time the government candidate, Lord Cathcart, was successful but only after a hard contest with the Earl of Dumfries.⁶⁹ For several years the Scottish representative peers would continue to pose problems for government, culminating in seven of them supporting opposition during the Regency crisis, a number produced partly by the 1787 election and partly by gradual defections from government ranks since 1784.⁷⁰

All this activity sustained the Scottish opposition in optimism through the 1780s and Dundas not only detected this optimism but was at times perturbed by it.⁷¹ In fact the Whig party was much weaker than its supporters believed.

The general cause of this was the return of stability to British politics. Pitt's initial problems did not endure and by late 1786 his ministry was secure. He had learned many of his

hardest lessons and the continuance of the King's support for him and the gradual return of prosperity after the war years confirmed his position. Dr Paul Kelly has argued that the influence of party feeling on politics at this period has been exaggerated and that the system was reverting to the 18th century pattern of stable, broadly based ministries faced by smaller opposition groupings. Since the King would not countenance Fox as his minister, the instability that would follow any ousting of Pitt by parliament could bring the constitutional machine to a halt. With most politicians motivated by no ideology beyond a devotion to the constitution, and when the benefits of ministerial patronage were certain only in tranquil conditions, ministerial stability was clearly to be preferred. Further, the greatest part of the business of parliament - that concerning raising supplies - lay outside the sphere of party politics, and carrying on the King's government was still seen as a patriotic duty. Attitudes of this nature were a serious obstacle to the development of party in politics. Kelly's views are contentious as regards English politics but they are useful in considering Scotland.⁷²

The quirks of the Scottish electoral system, concentrating so much power in so few hands, had returned many opposition supporters in 1784, proportionately more than in England. This should not be allowed to conceal the fact that the Scottish political climate was not conducive to opposition. The view of one Scots MP that "it is regarded as a kind of treason to speak of the measures of government with the smallest contempt"⁷³ would seem to have been a common one. At the commencement of Dundas's attempt to alter

the Court of Session in 1785, George Home commented that despite private irritation,

"The generall [sic] want of attention in this country to all matters of publick [sic] concern, and the generall dislike that all moderate and sensible men have, to appear as the fomentors of opposition prevent any public notice from being taken of it...".⁷⁴

At bottom, the real cause of this was that separation from government meant separation from its favours. With an efficient manager directing government patronage distribution it was easy to starve opponents of the ability to reward their followers. Without this power opposition could hardly expect much support from the various nobles, freeholders and burgh mongers, all of whom had families to provide for, incomes to supplement. This, the fundamental strength of government in Scotland, cannot be overemphasised. Scots tended to regard electoral office as the route to preferment in a way that the English, no retiring people themselves, found peculiarly offensive.⁷⁵ One writer to Pitt felt obliged to defer to his countrymen's notoriety, beginning, "altho' a Scot I desire neither place, post, or pension".⁷⁶ Quite simply, independence of government, or opposition to it, was expensive and in a country poorer than England, proportionately fewer of the politicians could afford it.⁷⁷ Successive ministries could count on a good Scottish following.⁷⁸ This, the venal aspect of Scots politics, should not however totally obscure other considerations that disposed Scots to support government.

Many Scots politicians were old-fashioned "King's men". As late as 1807, one gentleman could write, "the King has an undoubted

constitutional right, by his royal prerogative, to dismiss his ministers, and to chuse [sic] others in their room, when he pleases ... never being a party man ... I have always thought it my duty to support His Majesty's Government".⁷⁹ Even Boswell, shamed at Scotland's support for "each administration of whatever principles", during the great constitutional struggles from 1760 to 1784, still felt obliged to describe himself as a "steady Royalist", placing his objections against "evil counsellors".⁸⁰ Dundas himself, with one lapse in 1804, to the end of his career asserted his belief in the King's right to choose his own ministers. For some this doctrine conveniently provided post facto justification for supporting the distributors of favour, but the concept of an abstract Scottish loyalty to the monarch's position in politics should not lightly be dismissed.

Subservience to the government of the day may also have been rooted in a desire to erase the taint of disloyalty that had attached itself to Scots in the wake of the Jacobite rebellions. Anti-Scottish feeling in England has been compared with anti-semitism and there were flashes of it in this period, particularly at the time of Dundas's impeachment.⁸¹ A desire to be accepted as full partners in the Union may well have led some Scots to be more loyal than the loyal.

Conservatism ran deeply in the Scottish ruling class. While there was broad agreement on the need for amendment of irregularities in the county electoral system, opposition's apparent support for more general measures of reform did them little service with this group. Administrative ('economical') reform was approved of, but Patrick

Home's view on burgh reform points to harder attitudes generally to political reform:

"...I am in general an enemy to all innovation in the old established forms of any part of the constitution unless upon the clearest grounds of necessity. That there may be defects, or even abuses, in a regulation of three hundred years standing and upwards is not unlikely, but it becomes [a] matter of serious consideration, whether it may not be wiser, to submit to these defects and abuses, of which the extent are known, than to risk a violent change, the consequences and effects of which cannot be known".⁸²

Clearly this conservatism was founded on the self-interest of the elite in preserving their monopoly of power but their fear of change should not be underestimated. The Gordon riots in London in 1780, the violence of the Glasgow weavers' strike of 1787 and the irregular eruptions of popular fury in Scotland, most obviously in grain riots but also in a variety of other forms, kept the Scottish rulers in mind of 'the people below'.⁸³ A perception of the fragility of their position may well have formed one of the motives discouraging them from doing anything to upset the mechanisms of established order. Dundas himself gave some hint of this sensitivity in 1784:

"Both as a politician and an individual I lament the prospect of a bad season for nothing is so apt to sour the minds of the governed agt [sic] their governors as empty bellies, whereas in a year of plenty they look upon everything with a favourable eye".⁸⁴

To state the difficulties facing the opposition in Scotland is not to deny the existence of party politics there, only to define the limits within which it operated. It is not enough to dismiss the opposition as 'factious and discontented men', the common jibe of the time. By opposing Pitt and Dundas, they

largely excluded themselves from the prospect of favour, although as we will see, it would have been possible for many of them to have made their peace with government. Their principles cost them dear. Henry Erskine's blighted legal career is the most obvious example, but there were others, like Lord Saltoun who, "however great the inconveniency he suffered from that cause he chose rather to bear than in any degree to deviate from those political principles he considered himself bound ... to support".⁸⁵

The problem for the Scottish Whigs was that they were in a minority position, with the structure of politics increasingly working against them. Where in England opposition styled their association the 'Whig Club', the Scottish equivalent, the 'Independent Friends', had been titled carefully, so as not to deter recruits.⁸⁶ Unfortunately the device worked all too well and some joined who were not entirely in tune with the Whigs' political aims and whose loyalty would not endure. It is in the interaction between Dundas, as government manager, and the Independent Friends that this problem of ambiguous loyalties becomes stark.

Dundas was a child of the politics of the mid-century, the age immortalised in Namier's portrait of a struggle between "ins" and "outs", little embarrassed by political ideology. Only in retrospect would he himself date the dawn of party politics, of a serious, unbridgeable division between factions in the political classes, as commencing about 1790.⁸⁷ At this period, while acting to crush opposition, he did not see his work in party or ideological terms. Thus in discussing Stirlingshire politics in 1788, he disclaimed any wish to disturb Sir Thomas Dundas, with whom he

would, in view of their family relationship, prefer to connect his politics. Nonetheless, if government intended to attack opposition generally, he was "ready to forego these considerations and fight every where on the Common publick [sic] bottom...".⁸⁸ That Sir Thomas, a committed Whig, might not be willing to concert politics with his relative seems not to have entered Henry Dundas's consideration and with this attitude he constantly tried to chip away the ranks of opposition.

The Earl of Buchan was the recipient of government favours, although it did not ultimately affect his loyalties, and there is evidence that Dundas tried to convert Glencairn.⁸⁹ Lords Kellie, Cathcart and Elphinstone, all members of the first intake of the Independent Friends, would defect to government before 1790. Among the non-nobles, James Brodie of Brodie would also be lost. The case of Alexander Fergusson of Craigdarroch is a striking example of how loose the ties binding men to opposition might be. "Attached to the Dean of Faculty and Opposition", in 1790 he approached a surprised Robert Dundas to solicit a favour, stating that his support for Queensberry - then in opposition - was "from conviction of the propriety of the head of that family having the lead in the County & Boroughs" of Dumfriesshire. When Buccleuch succeeded to Queensberry's title, so he - and government - could expect Craigdarroch's support.⁹⁰ The Earl of Breadalbane's case is also indicative of the fluid border between government and opposition. In general he supported opposition but he did not join the Independent Friends for some time and he was sometimes seen on the government side in parliament.⁹¹ Consequently Dundas

was willing to offer him patronage for friends while the Earl, pursuing personal advantage in his struggle with the Duke of Atholl in Perthshire, was quite prepared to support a Pittite candidate to that end.⁹² It was not the consistency of conduct that a party system would demand. Indeed, Perthshire and Stirlingshire politics both demonstrated another feature hinting at the potential impermanence of opposition influence. Both fielded a fair vote for opposition candidates but this was a reflection of local struggles between major landowners, respectively the Dukes of Atholl and Montrose, and lesser freeholders, resentful at their counties being dominated by such men. The latter would support opposition candidates as their local champions, rather than from commitment to their politics.⁹³

One of the few logical conclusions to be drawn from the confusing evidence, is that a system of party politics - that is, a division between politicians on lines of fundamental principle, not easily bridged - was creeping in. This change was slow and while there was a dedicated core to the Scots opposition, many of its associates were less certain in their loyalties. This growth of party was not always clearly perceived and it was sometimes grafted onto struggles commenced at a much earlier period. Occasionally the transition could be seen in relief, as when old loyalties were sundered or relatives parted over differences of opinion on the new party issues.⁹⁴

From all the problems besetting opposition, the government, not surprisingly, was the beneficiary.

If the structure of Scottish politics tended to lead Scots to favour the government of the day, it should not be overlooked

that much of what Pitt's administration did for Scotland in its first years was very popular. The restoration of the Forfeited Estates in 1784, a long cherished ambition of Dundas's, ended gloomy memories of 1745. Intended by Fox and North before they were dismissed, disannexation was opposed by Chancellor Thurlow, who nearly wrecked it on 13 August in an attack in the House of Lords, "when the Scotch Parl^t (as he calls our sixteen) were off their guard".⁹⁵ Government would be able to count on the support of the newly restored families in Scotland and in any case it had long been clear that the commissioners overseeing the estates had failed in their task of improving them.⁹⁶

The Scottish Whigs might have discovered discontent among West of Scotland manufacturers in September 1785, but several weeks later, Dundas could find none of it. The merchants, he reported, were recovering from their war losses and much approved Pitt's fiscal policies.⁹⁷

Pitt's reputation for probity, particularly when compared to Fox, probably served him as well in Scotland as it did in England and there is also limited evidence that he benefited from the memory of his late father's popularity in the North.⁹⁸ Shy, austere, aloof - 'The Great Solitary' - Pitt showed the witty and genial aspects of his character only to a select few friends, among them Dundas.⁹⁹ Their friendship was not approved of by some of Pitt's English friends who saw Dundas as a bad influence both on his political mores and on his drinking habits, but it was nonetheless a genuine friendship founded on the respect of the elder man for the younger's abilities and perhaps also on

Pitt's affection for Dundas as a father figure. In early 1784, Dundas had written of Pitt "I feel him to be sent down from heaven as a saviour to this country", and their acquaintance, not at first close, was intimate by early 1787 when Pitt was a constant visitor to Dundas's Wimbledon villa.¹⁰⁰ This friendship would only strengthen as time passed. Outside the Cabinet until 1791, Dundas enjoyed with Grenville the position of one of Pitt's closest advisers for several years beforehand. By 1794, Pitt could write "of every act of his being as much mine as his" and there is little reason to doubt the sincerity of his distress at Dundas's repeated wish to resign in the years after 1794.¹⁰¹ This relationship between Scottish manager and Prime Minister was closer than any since that of Walpole and Ilay. It was the foundation of Dundas's success, promoting him from being a successful Scottish politician to being the greatest of the Scottish political managers and a British politician of the first rank.

Looking back, Dundas would write, with pardonable exaggeration,

"the whole patronage of Scotland was concentrated in my person ... during the whole time of my political connexion [sic] with Mr. Pitt. He nor no department of government ever gave me a moment's trouble on that score".¹⁰²

This conferred enormous power on Dundas, whose influence over Pitt was resented in England. Thomas Orde's jibe that Dundas "is said to take possession of the minister and conduct him as he pleases", would have been no reproach in Scotland, however.¹⁰³ Indeed, opposition in Scotland

"sometimes held the same language privately ... but they were wiser than to use it in publick [sic] as it would have been the most effectual means of confirming and extending the opinion of Mr Dundas's power and importance".¹⁰⁴

Dundas made full use of his position, pressing Pitt for Scottish causes. On British peerages he chided, "that these favours must not always be confined to the South side of the Tweed"¹⁰⁵ and he would prod Pitt when Scottish business became forgotten through the premier's notorious carelessness. While it was always the case that some Scots would circumvent Dundas and go direct to Pitt, especially where great favours were concerned,¹⁰⁶ most saw Dundas as the fount of favour. Even those who bypassed him were often liable simply to receive Dundas's decisions at second hand, from Pitt's pen.¹⁰⁷ From 1784, backed by "all the hellish powers of administration", Dundas slaved to extend the influence of the government party in Scotland.¹⁰⁸

From the start, Pitt's ministry enjoyed wide support among the great nobility of Scotland and this would endure for many years. This, even before the radical upheavals of the next decade would shake the political nation, spelt electoral disaster for the Portland party in Scotland.

The great aristocrats were attracted to Pitt's government by the same motives that inspired their social inferiors; political patronage, loyalty to the King and a preference for stable government. All had a social position to maintain and this required access to government favours. The Duke of Hamilton, complaining at Pitt's ignoring his letters, put it nicely:

"it makes me appear in an odd point of view to those people who press me to ask favours, & who look up to me as the channel through which those favours are to come".¹⁰⁹

The inability to provide this service for clients could subject a noble to the contempt incurred by Breadalbane, never totally comfortable with government, whose local gentry in 1800 considered him

"as [a] man that niether [sic] is or ever will be good for anything. they [sic] therefore for the sake of their families wish to connect themselves with some person of influence as L^d B may live many years".¹¹⁰

Needless to say, estrangement from government not only raised the spectre of government interference against his local interests, it also debarred an aristocrat from the plums in the gift of the Crown. It was in a spirit of self-interest that the group as a whole accepted the advice of Dundas as Pitt's Scots lieutenant.

In the West, John, 5th Duke of Argyll (1723-1806), did not pursue an active political career, concentrating instead on highland improvement,¹¹¹ while maintaining the family position in Argyll, Dunbartonshire, Stirlingshire and the Ayr and Glasgow Burghs. Dundas had had dealings with the family from 1775¹¹² and Argyll, who much approved Dundas's influence with Pitt in Scots affairs, had family links with Ilay Campbell, Dundas's lieutenant.¹¹³ His principal need was military and naval patronage for the Argyllshire freeholders and he was sensitive about his grip on the distribution of these sorts of favours in the county.¹¹⁴ Until 1806, when the Whig 6th Duke succeeded, the family had the nominations to the West highland customs posts.¹¹⁵

Douglas, 8th Duke of Hamilton (1756-1799), had promised support to Pitt even as the Coalition was dismissed, and he returned Sir James Steuart, a government supporter, for Lanarkshire.¹¹⁸ Much of his correspondence was concerned with soliciting favours for friends and relatives but there were occasional strains on his relationship with Pitt, who rarely answered his letters¹¹⁹ and in 1790, while he supported government men in Glasgow and Lanarkshire, his support in West Lothian and the Linlithgow Burghs was less than Dundas required.¹²⁰ The full details are obscure but by October 1794 he could again write of his "attachment to government".¹²¹ Dundas, re-inforced by the Hopetouns, bluntly rebuffed his attempt to bring forward a candidate for the Linlithgow burghs in 1796, despite the Duke's support for government elsewhere and this may reflect earlier frictions.¹²² If Duke Douglas was a friend to Pitt, his successor from 1799 was an opposition politician and in later years Melville would describe this as almost the only Scots family of high rank attached to the Foxites.¹²³

The Hopetoun family, with influence in West Lothian, Dumfriesshire and the Stirling Burghs had long been close to the Arniston family and the 3rd Earl (1741-1816) was a Pittite.¹²⁴ A supporter of county reform and an Independent Peer, bitterness at the result of the 1790 peerage election led to rumours of his joining opposition¹²⁵ but he made no such move and Dundas's marriage to his sister in 1793 firmly united the family to the Dundas interest. Hopetoun apparently expected a British peerage but he had to wait years and in the meantime his family rose to become one of the most

prominent in the rank of the Scots Tory party.¹²⁶

Dominant in Perthshire and maintaining an influence in the Perth Burghs (more, he claimed, for government's benefit than personal advantage), John, 4th Duke of Atholl (1755-1830) was an old acquaintance of Dundas and a supporter of Pitt from the outset.¹²⁷ While he solicited many favours,¹²⁸ his main claim for twenty years was for compensation for his family's losses sustained when the Isle of Man was compulsorily purchased by government in 1764. This he pursued with great persistence, obtaining redress only during Pitt's difficult second administration, when the premier required all the support he could get.¹²⁹ Dundas would enjoy Atholl's support to the end of his career¹³⁰ but it was not always a smooth relationship. In 1794, they clashed over Atholl's wish to allow his sick brother to resign his seat for Perthshire, a plan that inadvertently wrecked Dundas's hope to elect his son for the county.¹³¹ In 1796, Dundas admonished the Duke for a proposed misuse of Perth customs patronage and this friction seems to have continued for some time.¹³²

The Sutherland family completely dominated that county and had some influence in the Northern Burghs.¹³³ The Countess Elizabeth (1765-1839) and her husband George, Lord Gower, later Marquis of Stafford (1758-1833), supported Pitt consistently until 1805, when they left him, principally because of the King's rejection of a government including Fox, but partly also from Pitt's bad management in the declining months of his life.¹³⁴ From then on, the family supported Lord Grenville and were "in

hot opposition".¹³⁵

Wigtownshire, Kirkcudbrightshire and their burghs all felt the influence of John, 7th Earl of Galloway (1736-1806). He supported Pitt from 1784¹³⁶ but Dundas would later write of his "intriguing trickiness"¹³⁷ and their relationship was less cordial. He acted with government in the South Western elections of 1790 but his conduct in the peerage election was less astute and he was conscious of the bad taste left in government mouths.¹³⁸ In 1796, he supported administration in the peerage election and, only grudgingly, in Kirkcudbrightshire.¹³⁹ His reward was the British peerage he had so long solicited with the support of his relatives the Staffords¹⁴⁰ but his wish to assert his family strength in Kirkcudbrightshire from 1795 would lead to a contest with Dundas's ally Patrick Heron in 1802 and to a general struggle in the South West.¹⁴¹ Not till the 8th Earl succeeded in 1806, would Dundas again rely on the family.

In 1783, Dundas was anxious to prevent any alliance between the 11th Earl of Eglinton (1726-96), the 13th Earl of Glencairn (1749-91), Sir John Shaw Stuart and John Craufurd, lest it deliver Ayrshire and Renfrewshire to opposition. In the end, his friend Sir Adam Fergusson was persuaded to allow Eglinton's candidate to sit for Ayrshire unopposed.¹⁴² The Earl had initially supported Fox against Pitt's minority government but quickly changed sides.¹⁴³ Thereafter he wavered, supporting Pitt's major legislation but, becoming close to the Prince, joined Fox at the Regency Crisis. He was a government candidate at the 1790 peerage election.¹⁴⁴ This wavering did not affect the arrangements concerted for Ayrshire in 1784 and when Hew

Montgomerie was appointed to office, Dundas's friend McDowall of Garthland was returned with Eglinton's aid, until Fergusson could be seated in 1790.¹⁴⁵ The Dundas-Eglinton alliance strengthened thereafter and in 1795 Dundas was informed that the Earl "would in my opinion adopt any plan with regard to Ayrshire which you recommended". The 12th Earl of Eglinton (1739-1819) was a Whig, but he put the protection of his Ayrshire interest first and except for a period in 1806 and 1807, he was on generally good terms with Dundas.¹⁴⁶

Glencairn was an Independent Friend and associated with opposition.¹⁴⁷ His death in 1791 passed the title to an Anglican cleric, a brother-in-law of Henry Erskine and described as independent.¹⁴⁸ He had but a poor fortune and made no impact on Scottish politics, spending much time soliciting English church preferment.¹⁴⁹

The Cassillis family under the 10th Earl (? - 1792) was opposed to Pitt, yet despite this the premier countenanced favours for his kinsmen.¹⁵⁰ The short-lived 11th Earl had no influence on events and even as he was dying, his heir was offering the family support to government in return for an English seat in the Commons.¹⁵¹ Succeeding in 1795, he supported government and was returned at the 1796 peerage election.¹⁵² His utterances at a public meeting at Ayr in 1797 gave cause for doubts about his allegiances but he remained loyal to Dundas until the end of Pitt's first administration.¹⁵³

Represented by two men in Dundas's years of power, the Bute family controlled little beyond the county of that name. The 3rd Earl was a supporter of Pitt, until his death in 1792,¹⁵⁴ while his

son, who had been an unsuccessful rival to Dundas for the leadership of Scottish politics in the 1770s, was an opposition Whig.¹⁵⁵ By early 1793, although contemptuous of the Pitt ministry's abilities, he inclined to support their measures for the safety of the nation and within a year he was a declared supporter.¹⁵⁶ He had few dealings with Dundas, probably a reflection of their earlier rivalry.

One of the most powerful of the Scottish nobles, William, 4th Duke of Queensberry (1725-1810) was an old acquaintance of Dundas.¹⁵⁷ Unbounded in his support for Pitt's minority government, he still felt able to pursue a personal struggle for the Dumfries Burghs against another government supporter, Sir James Johnstone.¹⁵⁸ An English resident, he was unpopular in Scotland. Conscious of his worth, he could be imperious in pressing his claims, as in 1787 when he succeeded, against government wishes, in appointing a most unsuitable candidate to the sheriffship of Dumfries.¹⁵⁹ Queensberry deserted Pitt during the Regency Crisis and at the General Election of 1790 he returned two opposition men for the Linlithgow and Dumfries Burghs.¹⁶⁰ In fact, his flirtation with opposition was uncomfortable and short-lived and he eventually rejoined the government camp.¹⁶¹ It is sometimes said that he made over his electoral influence to Buccleuch in 1790, but this is mistaken.¹⁶² His relationship with Dundas was considered uneasy, the latter receiving advice in 1795 as to how the Duke might be shaken in Dumfriesshire.¹⁶³ In the end, an accommodation was reached, whereby Dundas's brother-in-law, Alexander Hope, was returned for the Dumfries Burghs, and in 1801 Dundas could write

that Queensberry would not form ideas about that seat "different from my wishes".¹⁶⁴

Even before we move to consider the politics of North East Scotland, it is clear that, with temporary fluctuations, Dundas could draw considerable support from the great nobility. He would write that "It is my practice and ever has been, to support the great aristocratical interests of my country and this upon principles of a well considered policy...".¹⁶⁵ Of course this was but a recognition of the realities of political power in pre-industrial Scotland but there seems little doubt that he was genuine in the sentiment.¹⁶⁶ Nevertheless it is important to be clear about his role. It is wrong to see those men who chose to take his lead, as being either in his thrall, or as part of a 'Dundas Interest'.¹⁶⁷ Several were indeed close to him as friends or relatives - Buccleuch, Hopetoun and Gordon, for instance. Others dealt with him solely as the government's minister of the day for Scotland and some became restive because they could not always reconcile the demands of supporting government with their own local ambitions. With some exceptions - notably Atholl and Montrose¹⁶⁸ - the great nobility no longer actively participated in national politics and were content to take the guidance of the "understrapper" from Midlothian.¹⁶⁹ In their private moments, some must have looked down on him and there is just a hint of this in a letter by Argyll to Dundas commenting on the delay in granting a favour:

"Nor will you I hope consider my request in the same light as that of many other claimants; considering I have within a short period expended more money in support of government, than is equal to ten times the value of this pension...".¹⁷⁰

This suggestion is stronger in Galloway's statement to Pitt, "that my parliamentary interest is superior to almost any in Scotland excepting the Duke of Queensberry".¹⁷¹ Nowhere is Dundas mentioned, deliberately emphasising the degree to which Scots politics revolved around the great nobility.

Dundas's position as manager would occasionally allow him to 'bully' or threaten individual magnates but it is in the sense that he intended it, that we should understand his description of himself as "a cement of political strength to the present administration".¹⁷² He was enabled as government manager to serve the interests of the Scots nobles and in turn could persuade them into arrangements that suited government. As the period advanced, the defections to opposition of such notables as Hamilton in 1799, Sutherland in 1805 and Argyll in 1806 demonstrated a truism about the position of Dundas and government. If a great noble was absolutely determined to oppose administration, government could certainly inconvenience him but in the short term it was very difficult to defeat him on his home ground.¹⁷³

The embryo Whig electoral organization of the 1780s has attracted much attention¹⁷⁴ but even the Whigs were conscious that they had no roving man of business, travelling Scotland to concert their efforts. Even with all the obstacles facing them, it is clear that they failed fully to take what opportunities the system offered them. Mackenzie of Seaforth, a prominent Portlandite, instanced the loss of Sir James Grant of Grant from the opposition fold as a consequence of this lack of attention¹⁷⁵ and indeed it was in the North that Dundas was most dramatically to advance the government cause in these years.

Dundas knew Alexander 4th Duke of Gordon (1743-1827) of old¹⁷⁶ and when he wrote to him in December 1783, advising him of the King's displeasure with the Coalition, Gordon was easily persuaded to join Pitt. Gordon was then trying to put his estates in financial order and he stated a wish for a British peerage and provision for his brother-in-law John Fordyce, the disgraced Receiver General of the land tax. Both were subsequently granted.¹⁷⁷ In general Gordon indicated a willingness to take Dundas's lead but his professions of ignorance in politics should not be taken too seriously.¹⁷⁸ Averse to 'political bustle',¹⁷⁹ he was well schooled in Scottish politics, well advised and continually using his position to demand favours of Dundas.¹⁸⁰ Nevertheless theirs became a genuine and enduring friendship.

Gordon's chief antagonist was James, 2nd Lord Fife (1729-1809). An independent supporter of government, he was a major landowner in Moray, Banff and Aberdeenshire, besides controlling Banff town. His extensive vote creation had made him unpopular with many genuine freeholders and in all three counties he was in dispute with Gordon, a rivalry founded on mutual dislike.¹⁸¹ Other groups complicated the political landscape. The Earl of Findlater (1750-1811) with influence in Morayshire and the Elgin Burghs, and Sir James Grant of Grant, an opposition supporter with power in the Burghs and Inverness-shire, were allies of Fife. The Moray Association, a body of local gentry led by James Brodie of Brodie, was committed to ridding Morayshire of Fife's nominal voters.¹⁸² Fife himself faced the threat that his nominal votes

in these counties could be reduced by either Brodie or Grant, both heirs of his entail.¹⁸³

Dundas's concern with the North stemmed mainly from the possible return of opposition MPs through a Fife/Gordon collision but partly also from the uncertain allegiance of Sir James Duff, Fife's son and MP for Banffshire,¹⁸⁴ and from the presence of William Adam as member for the Elgin burghs. He began by siding with Gordon. He may have abetted a 1785 petition against Fife's election for Morayshire¹⁸⁵ and he assisted James Brodie to elect his brother Alexander for Nairnshire at a by-election in that year.¹⁸⁶

The death of Alexander Garden, member for Aberdeenshire, led to a by-election in 1786. A hard contest ensued between James Ferguson of Pitfour, backed by Dundas and Gordon, and George Skene of Skene, supported by Fife. Both professed support for administration.¹⁸⁷ Skene was victorious - a "temporary success" Gordon called it - and in the wake of defeat, the Moray Association working to reduce Fife's votes in Aberdeenshire, threatened to halt operations without an agreement as to the future representation of Elginshire. Faced with this, Gordon asked Charles Gordon to prepare a state of Northern politics and concert a new strategy.¹⁸⁸ Examining all the permutations, this favoured an alliance between Gordon, the Moray Association and, if Dundas could arrange it, Grant and Findlater.¹⁸⁹ Dundas's reaction is unknown. Probably it was unfavourable. At about this time he rejected Fife's offer of an accommodation¹⁹⁰ but his job as government manager was "to keep all parties dutifully subordinate

to administration" and any offensive alliance with the Moray Association in Elginshire would surely drive Fife into opposition.¹⁹¹ His instincts were probably for a Fife-Gordon alliance and by February 1787, Charles Gordon was advising him to promote this, preferably involving Grant and Findlater in the arrangement.¹⁹² Certainly within weeks of this, Dundas was conversing with Fife about the prospects for an agreement with Findlater and Grant and by early May, Fife was anticipating a "treaty of peace" with Dundas.¹⁹³ On 28 June, Sir James Grant was informed of impending arrangements for the North by the novelist Henry Mackenzie, his brother-in-law and a Dundas confidant. Dundas acknowledged Gordon's ill-usage of Grant and hinted plans to seat both Grant and his son in parliament.¹⁹⁴ It is possible that Grant's secession from opposition dates to this period. By late August, Dundas was at Dunira. His intentions for the North were already decided and he had discussed them in confidence with Charles Gordon. Unaware of all this, the Duke was preparing to manufacture fifty nominal votes in the Northern counties, in preparation for a new struggle with Fife.¹⁹⁵ Early in September Dundas met the various parties in the North East.¹⁹⁶

The precise negotiations are unclear but concluded with a letter of 20 September from Dundas to Gordon.¹⁹⁷ The Duke had refused to agree to a coalition with Fife, involving peace in Aberdeenshire and the return of Sir James Grant for Moray. Instead he preferred a general contest, which Dundas was convinced would go badly for the Gordons. Dundas's own plan would have attached Grant and Findlater to the Duke. Dundas concluded by saying that he would

not countenance a proposal by Lord Fife nor solicit his support for Grant and Ferguson. The sting, however, was in the tail of his letter. While Dundas would continue to support Gordon and Ferguson in Aberdeenshire, his duty to government required that if their success looked doubtful, he would have to act in any way necessary to prevent an opposition candidate being returned. By now, Skene had moved to opposition¹⁹⁸ and Dundas's letter was a warning that if Ferguson could not defeat him, he might look elsewhere for a candidate. The Duke replied immediately but seemed unconcerned. Relying on Dundas's judgement, he acquiesced in his determination to avoid involvement in the impending struggle but hoped that Dundas might in the future procure him Findlater's and Grant's support.¹⁹⁹

This disagreement did not harm Dundas's friendship with Gordon but by now Dundas was convinced that Fife was so strong as to carry the three counties himself, unless opposed by all the others. This induced him, over the Duchess of Gordon's objections, to listen to Fife's advances. Over the next year he became convinced of Fife's sincerity and in September 1788, apprised of Gordon's weakening position in Aberdeenshire, he wrote to Fife, urging that his "jarrings" with the Duke - a hard battle to enrol votes was impending at the Michaelmas court²⁰⁰ - should not induce him again to support Skene. Fife's reply was much to Dundas's satisfaction, giving him complete freedom to choose candidates for the counties and burghs and stating that his support for Skene, originally given on the understanding that he would support Pitt, was at an end. This held out the prospect of bringing in Sir James Grant and Ferguson

of Pitfour in place of Skene and Adam.²⁰¹ Fife may already have had a promise of a British peerage. Findlater certainly had strong hopes for such a favour. Dundas had seen that in several places, Findlater would hold the balance in any struggle between Fife and Gordon and by September he was central to Dundas's plans for replacing William Adam with Sir James Grant and putting Grant's son in place of Sir James Duff.²⁰² Findlater had already abandoned support for Adam in June.²⁰³

By the end of 1788, the North East was largely settled. An unexpected vacancy in Banffshire in 1789 allowed Ferguson into parliament sooner than had been planned.²⁰⁴ This "extra" seat ultimately allowed the inclusion of the Brodies - hitherto apparently unnoticed - into the final arrangement and when the shuffling was concluded in 1790, Alexander Brodie was seated for the Elgin burghs. Similarly the inclusion of the Grants obtained their support for Colonel Norman MacLeod's candidacy in Invernessshire.²⁰⁵

Dundas could be well pleased with his work. The essential problem had been to reconcile the personal differences of two government supporters, while winning over others who did not support government. It was solved partly by judicious use of patronage and mainly by Fife's willingness to turn the other cheek to Gordon's provocations, probably in return for the promise of favours. It was never a stable relationship, although Dundas worked to promote amity between Fife and Gordon.²⁰⁶ Much later, Fife and Dundas would fall out, but by then franchise cases had much reduced Fife's power and he would be of little more than nuisance value.²⁰⁷ Sir

James Grant was probably won over by the prospect of obtaining two seats in parliament. Only Findlater came off badly. The public revelation of his homosexuality in late 1790, meant the refusal of his British peerage and he later fled the country in disgrace.²⁰⁸

Apart from the effort being put into concerting coalitions of local interests in its favour, the government made some minor gains in its support among the Scots commons between 1784 and 1790.

Of the MPs elected in 1784, one certainly changed his allegiances. Charles A. Cathcart, member for Clackmannanshire, had voted with Fox and North but was unconnected with them and prepared to support administration if he approved of their policies.²⁰⁹ He quite quickly became a government supporter.²¹⁰

Between the general elections, there were nineteen by-elections in Scotland involving a change of member. The results were mixed but overall government made slight headway. Eleven elections involved the replacement of one government supporter with another,²¹¹ although in the cases of Aberdeenshire (1786) and Kirkcudbrightshire (1786) the two incomers would later defect to opposition, one (Skene) permanently, the other (Stewart) for a short period only. For Dundas personally, the most noteworthy of these elections was probably that for East Lothian in 1786, which returned a relative, John Hamilton of Pencaitland.²¹²

Two by-elections, for the Tain and Haddington Burghs in 1786 and 1787 respectively, merely replaced one opposition supporter with another, but a second election for the Tain Burghs in 1786, returned

a government supporter and Dundas relative, Sir Charles Ross of Balnagown.²¹³ This last election was one of six in the period where the new member differed in politics from his predecessor. Of these, those for Nairnshire (1785) and Banffshire (1789) have been mentioned above. The Renfrewshire election of 1786 was held in consequence of an agreement made by the candidates at the general election, to divide the representation during the parliament. William McDowall of Garthland, the sitting member and a government supporter, resigned as agreed but then unexpectedly contested the seat. He had no success and was replaced by Sir John Shaw Stewart, an opposition man.²¹⁴ The death of Robert Skene, the opposition MP for Fife in 1787, prompted Colonel William Wemyss of Wemyss, then MP for Sutherland, to resign that seat and contest his home county. This produced problems for Dundas, who had hitherto used his personal interest in Fife, inherited from the Scotts of Balcomie, to oppose Wemyss.²¹⁵ Sir John Henderson of Fordell, the unsuccessful government candidate for the county in 1784, also solicited Dundas for a continuance of his support. Faced with two government supporters in conflict, Dundas and Pitt unsuccessfully tried to persuade them to compromise but without success. Fearing the successful intervention of a third candidate of opposition principles, Dundas reversed his previous stance and supported Wemyss, rejecting a mortified Henderson.²¹⁶ In the ensuing contest, Wemyss was joined by the Anstruthers of Anstruther, hitherto in opposition, in return for Dundas's agreement not to disturb their interest in the Anstruther Easter Burghs.²¹⁷ Wemyss was ultimately victorious and while Henderson was counselled by his father-in-law to remain a government supporter,²¹⁸ he became

an inveterate opponent of Dundas.²¹⁹ There is some evidence that part of the price paid by Wemyss for Dundas's personal support in Fife was a surrender of some of his local patronage to him.²²⁰

The Glasgow Burghs election of 1790, caused by Ilay Campbell's elevation to the Bench in November 1789, presented a minor setback to administration. The government supporters, led by the Duke of Hamilton and the Glasgow council, put forward John Dunlop as an interim candidate.²²¹ Hamilton secured Glasgow and Rutherglen but an opposition candidate, John Craufurd, captured Renfrew - the returning burgh - and, through the negligence of the Duke of Argyll's supporters, Dumbarton.²²² This secured his election. It was a short-lived success, however, and he was defeated by McDowall of Garthland at the general election.

Overall, it would appear that government made a net gain of two supporters among the Scots members between 1784 and 1790.

This general advancement of government influence in Scotland was rudely interrupted by the political uproar precipitated by the King's illness between November 1788 and February 1789. This was the worst crisis Pitt's administration had yet had to face.²²³ Dundas was in Scotland when it began but was in close touch with Pitt. Like others, he seems initially to have expected the King's death and with it a change of administration.²²⁴ Once it was clear that George III would live but would be indefinitely incapacitated, the question of a Regency arose.

By late November, government was summoning its Scottish supporters²²⁵ and parliamentary proceedings began in earnest on 8 December. The opposition, by now closely associated with the

Prince of Wales and elated by the prospect of power, pressed for him to be given immediate and unrestricted exercise of sovereignty. It was an extraordinary doctrine for Whigs to assert and over the coming weeks government supporters made much of this and other blunders by an often divided and discordant opposition, while developing and advancing their own case for a Regent restricted in the scope of his actions, in expectation of the King's recovery. The overall situation was not favourable to government, however. Fettered or unfettered, the Prince was sure to dismiss them and Pitt's strategy was one of delay, of drawing out the proceedings, in the hope that the King would recover.

The repeated divisions in the course of the struggle showed that, with some exceptions, the government ranks remained steady.²²⁶ There were some cracks nonetheless, and among the Scots peers Eglinton and, astonishingly, Queensberry moved to opposition.²²⁷ Queensberry's defection brought Sir Robert Laurie to the opposition ranks²²⁸ while Eglinton's brother, Hugh Montgomerie, simply avoided voting.²²⁹ Alexander Stewart, MP for Kirkcudbrightshire also defected²³⁰ but Sir James Duff, who decided to support the Prince's claims, was promptly made to resign his seat by his irate father, Lord Fife.²³¹ In all, some twenty Scots members consistently supported government during the struggle²³² and eleven supported opposition.²³³ Among the representative peers, the gradual changes in loyalties since 1784 found seven of them voting with opposition and one abstaining.²³⁴

In Scotland, as in England, opposition's morale ran high. They began to prepare for a general election²³⁵ and it was rumoured

that they had already divided the expected spoils. Erskine, it was said, was to be Advocate, Robert Cullen and William Robertson were to be joint-solicitors and Alexander Wight was to be put on the bench.²³⁶ They were free with other promises.²³⁷

When Dundas looked back on the crisis, he would write that the strength of Pitt's position had gained from the Prince's indiscreet behaviour, leading "the country to believe that he was in the hands of an unpopular faction in whom he was immediately to repose his confidence and the conduct of his government in place of retaining his father's government at that time highly popular...".²³⁸ It was a view of the British scene generally, but it was as true of Scotland as of England.²³⁹ George Home thought that "it would be a strong step as Regent to dismiss a popular and successfull [sic] administration"²⁴⁰ and while opposition had some success in organising addresses to parliament favouring their cause, Pitt's supporters seem to have had the advantage.²⁴¹ Sir Thomas Dundas in Stirlingshire was told frankly by a Scottish ally, "Everywhere in this country Mr Pitt's popularity has the ascendancy over that of Mr Fox".²⁴²

Ministers in fact expected little from the Prince but dismissal²⁴³ and by mid-February, their time had run out. Pitt's final bill for a Regency was on its way through the Lords and would be law within days, at which point the days of his ministry would be numbered. And then the King recovered. The Regency Bill was forgotten and Pitt was more firmly in office than ever. His strategy of delay had paid off only at the last moment.

It is difficult to predict what would have happened in Scotland had the crisis ended otherwise. There had undoubtedly been turncoats in the ranks of government's Scottish supporters - they would be punished²⁴⁴ - and there was clearly a Scottish 'government in waiting'. But much of the political nation seems to have been with Pitt and while the Scots would in the long run certainly have fallen in with any new administration, it would probably not have been a comfortable transition. The conduct of opposition during the crisis had not been edifying and Pitt profited from this.²⁴⁵ There is some reason to believe that opposition in Scotland lost some of its support as a result.²⁴⁶ Within a month of the crisis ending, George Home, surveying the Scottish scene generally, could remark, "ministry here, are not less popular than they are in England, tho' we have not the same way of showing it".²⁴⁷

The only crumb of comfort that Scottish Whigs could draw from the Regency Crisis was its apparent effect on the election of June 1789 for the Clerkship of the General Assembly.²⁴⁸ The death of the previous incumbent had made this minor office another focus of the long-running struggle between the Moderate party in the kirk, who supported Dr Alexander Carlyle as their candidate, and the Evangelicals, who supported Professor Andrew Dalzell. The identification of the two factions with the government and the opposition politicians respectively, was not total and the Clerkship "which of itself was a trifle [sic] acquired importance from its being like almost everything else drawn into the great VORTEX of politicks".²⁴⁹ At the height of the canvass there is some evidence that the prospects for a change

of government had some effect on Evangelical support, one Moderate remarking that "their [sic] is such a spirit in the country clergy against them at this time that we have all enough to do to support Dr Carlille's [sic] interest".²⁵⁰ Crucial to the result of the contest was the intervention of the Duke of Portland. Apparently on the verge of office, he was able to use this to persuade a third candidate, Robert Walker, minister of the Canongate, to stand down and so avoid a split in the Evangelical vote.²⁵¹ At the Assembly in June, the election was the centre of heated debate. Carlyle had 145 votes to Dalzell's 142 but Henry Erskine for the Evangelicals, to the fury of the Moderates, persuaded the Assembly to examine Carlyle's votes. Several were found to be invalid and he was forced to concede defeat.²⁵² This defeat would usher in a period of tribulations for the friends of Carlyle and in June 1790 Professor George Hill, by then effective leader of the Moderates, would write that

"the situation of the Moderate interest in the church has become very distressing. We have to combat our old enemies who are accustomed to oppose us at all points; And in every question that trenches upon politics these old enemies are re-inforced & led by a desertion of all the Foxites. The summit to which Harry Erskine's ambition is allowed at present to reach, is to appear the governor of our church; And he & his friends are indefatigable in all those attentions by which this poor object may be obtained".²⁵³

The preparations for the general election notwithstanding, Scottish politics were comparatively quiet in 1789. The death of Lord President Thomas Miller in September led to an arrangement whereby Ilay Campbell succeeded to his office and Robert Dundas, Henry's nephew and son-in-law, succeeded to the Lord Advocate's

post.²⁵⁴ He would hold this place for twelve years, occupying a central position in the events of the new decade and playing a political role very different from that of his predecessor. Very quickly he would become his uncle's right-hand man in Scottish affairs. For Henry Dundas there may have been a brief reflection upon the past. He was offered the Lord Presidency but declined it, citing Campbell's qualifications and stating

"that my secession from all political life at this time would be a very fatal step to the strength and hold government has of Scotland. It is unnecessary to enter into the reasons, but it is a truth that a variety of circumstances happen to concur in my person, to render me a cement of political strength to the present administration, which, if once dissolved, would produce very ruinous effects".²⁵⁵

There was some exaggeration in his claim but it also signalled the end to his legal career, suspended six years before.

"If a generall [sic] election was to take place just now, it would be one of the quietest we have seen".²⁵⁶ George Home would have cause to qualify this opinion later²⁵⁷ and in fact the election was one of the most active of the period, with struggles in sixteen of the county and burgh seats.²⁵⁸ For Dundas it was the culmination of six years' preparation and while some of the contests were of little concern to government - that of Roxburghshire, for instance, where both candidates were government supporters²⁵⁹ - others were of consuming interest.

The elections in the North East went according to the agreements of the past two years. In the South west, Ayrshire, Wigtownshire and Kirkcudbrightshire unanimously returned government supporters with help from Dundas, in the face of opposition from Lord Daer.²⁶¹ Elsewhere, considerable progress was made by Dundas in

ejecting opposition MPs. In Orkney, Thomas Dundas was replaced by John Balfour²⁶² and in West Lothian Sir William Cunynghame was removed after much effort and planning that dated at least as far back as 1788.²⁶³ In the Aberdeen Burghs, Dundas's nominee Alexander Callander ousted Sir David Carnegie.²⁶⁴

Other attacks on opposition were less successful. Determined to stop Sir John Sinclair's return for Caithness, Dundas had commenced a campaign in 1788 to elect a son-in-law of the Duke of Gordon.²⁶⁵ This attack worried Sinclair's friends but early in April 1790, he and Dundas began to edge towards an agreement, Sinclair even offering to stand down if he were made a Baron of Exchequer.²⁶⁶ The negotiations were difficult but in the end Dundas's opposition was withdrawn.²⁶⁷ Probably he recognized that Sinclair could not be beaten and he may already have had a promise of the baronet's later support in the Wick burghs.²⁶⁸ In Stirlingshire, government supported Sir Alexander Campbell of Ardkinglass against Sir Thomas Dundas.²⁶⁹ The contest was very close and government were optimistic.²⁷⁰ In fact, Sir Thomas was returned after a skilfully conducted election meeting at which his supporters not only managed to eject several of Sir Alexander's supporters from the roll, but also to reject the claim for enrolment of the candidate himself. A narrow government majority became a narrow victory for Sir Thomas, and Campbell's attempt to have the election annulled by the House of Commons failed.²⁷¹ In Renfrewshire, a determined attempt by Dundas and William McDowall of Garthland failed to unseat Sir John Shaw Stewart.²⁷² McDowall himself had had problems enough in the Glasgow burghs, where he

had to buy his opponent out of the contest for £900.²⁷³

In Fife, William Wemyss faced the opposition of Henry Erskine but this was not carried to the poll,²⁷⁴ while Charles Hope of Waughton was elected as government candidate for the Dysart Burghs against John Craufurd, an active Whig.²⁷⁵ Only in the Anstruther Easter Burghs could opposition take some comfort from the return of Sir John Anstruther against a challenge from the Kellie family backed by administration.²⁷⁶

The contests for Dumfriesshire and the Dumfries Burghs were rooted in the personal feud between the Johnstones, backed by Hopetoun in the county,²⁷⁷ and Queensberry. Queensberry was victorious in both but whereas this was of little moment to Dundas in the county - Sir Robert Laurie, with his patron, would come to repent his stance on the Regency²⁷⁸ - the defeat of Sir James Johnstone in the Burghs replaced an independently minded friend to Pitt with an opponent, Patrick Miller of Dalswinton.²⁷⁹

In Cromartyshire, an apparent defeat for Dundas's friend Alexander Brodie, who was forced to split the representation with Duncan Davidson, in fact led to the election of a man who proved to be a government supporter.²⁸⁰

When the dust had settled, Dundas could be well pleased. The government party would appear to have done proportionately better in Scotland than elsewhere.²⁸¹ The most optimistic opposition observers reckoned that they had elected ten followers²⁸² but this was an overestimate and their core support was nearer to four; William Adam, Sir Thomas Dundas, Thomas Maitland and John Shaw Stewart. Five others wavered in their stance, at times

supporting opposition, at times not. These included Sir John Sinclair, William Grieve, Patrick Miller, Sir John Anstruther and George Graham.²⁸³ The results were almost exactly as anticipated by the Earl of Hopetoun three months before, when he had predicted that seven ninths of the Scots commons, perhaps more, would support Pitt.²⁸⁴

Both Hopetoun and Dundas had cause to be much less satisfied about the results of the peerage election, if for different reasons.

The government campaign to secure a favourable result from the peerage election was conducted in a more aggressive manner than for years past. The existence of an opposition list of candidates was known by mid-1789²⁸⁵ and the first stirring of resistance to this was a request by Moray, Balcarres and Elphinstone - all government supporters - that Buccleuch should lead them in concerting the election of government sympathisers.²⁸⁶ They advocated an exclusive pact for mutual support among twelve or thirteen peers, and its terms, and the correspondence of its supporters, shows both their fear of the Independent Peers' organization and the manner in which the latter were now seen as coterminous with opposition proper.²⁸⁷ This, and the embarrassed plight of such Independents as supported government, now to be penalised for their association with the Whigs in the increasingly polarised politics of the period, was neatly described by Cathcart:

"... to give themselves a pretext to say they are not party men they have put into their list two who will probably support the measures of government... So much are they linked with opposition that it has occasioned much debate and difference of opinion among them how to get rid of certain peers with whom they have not wished to connect themselves, or who have kept clear of them and who will nevertheless be pressed upon them by the chiefs of opposition".²⁸⁸

Dundas was soon conferring with Pitt, Grenville and Buccleuch on the conduct of the campaign and government lobbying was intense.²⁸⁹ The main casualties of the contest were in fact the Independent Peers who wished for elections free from government interference. They had difficulty in getting votes from government supporters²⁹⁰ and Dundas's treatment of them verged on duplicity. He certainly negotiated with them²⁹¹ and until late in the day both Hopetoun and Strathmore were led to believe that they had government's good wishes.²⁹² In practice, the policy towards them that Dundas had advocated over two years ago was now in operation.

The government's friends supported a core list of thirteen peers, the final list probably having been settled by Buccleuch²⁹⁴ and there are signs that more ambitious souls aimed at a return of sixteen.²⁹⁵ To the end there was confusion, with Galloway's loyalties in particular being doubted by government peers. These doubts were resolved too late in the day to save his election.²⁹⁶

With thirty candidates in all, the election took place on 24 July.²⁹⁷ The bitter nature of the contest was fully reflected in the result. Thirteen peers were elected outright, nine from the government list, four from the ranks of opposition.²⁹⁸ Six peers tied for the remaining three places, all with equal votes.²⁹⁹ The election itself was heated and marked by "disagreeable altercation", including Stormont's threat to bring the returning clerks before the House of Lords for accepting Lord Ochiltree's vote. Four votes were objected to and a protest was taken against Lord Napier's.³⁰⁰

Henry Dundas, surveying the scene, pointed to the bad luck

experienced by his friends. One extra voter would have returned three government men and much would have hung on the absent Earl of Errol and upon Gordon, whose signed list arrived too late.³⁰¹ The opposition group had held together well while the Independents were squeezed out. Hopetoun was particularly bitter, writing sarcastically that

"It is most creditable to His Majesty's Ministers to have applied [sic.] all their weight to obtain such a return prop'd by bad votes to the exclusion of their best friends & admission of their declar'd enemies [sic.]".³⁰²

In the aftermath of the election, once it was clear that there would be no immediate re-election to fill the three vacant places, the various factions organised themselves to take protests to the House of Lords concerning the validity of several of the votes cast. The government peers banded together to defend their voters, and hence the election of several of their brethren, and the opposition did likewise.³⁰³ The various disputes would take several years to settle.

Of the election as a whole, Dundas hoped that the outcome would break the Independent Peers' movement.³⁰⁴ In fact, the spirit of independency survived, but it was one of the last seriously contested elections for some years. This was, however, due mainly to the impact on domestic politics of developments in France.

"Now that opposition is almost annihilated, the danger is, that you and your friends run riot ... and think no more of the state". James Edgar's friendly note to Dundas of March 1791 gives some sense of the period of comparative political calm that had followed the general election, but this was now coming to an end.³⁰⁵ The French

Revolution, now almost two years old, was casting a shadow over British politics. More immediately, the Ochakov Crisis, threatening to involve Britain in an unpopular and impossible war with Russia, was about to shake the ministry, dividing the Cabinet and dismaying many government supporters.³⁰⁶ Pitt survived but the resignation of Leeds, the Foreign Secretary, allowed the promotion of Grenville, and the advancement of Dundas to the Home Office. Dundas considered this promotion only to be temporary, to last into 1792,³⁰⁷ but events were soon to overtake this plan. These changes formalised the positions that Dundas and Grenville had long enjoyed as Pitt's closest advisers and they were the penultimate stage in Pitt's weakening of the once powerful royal party in the Cabinet. The removal of the duplicitous Chancellor Thurlow in early 1792 completed the process.

Several Scottish issues also came to a head in mid-1791. The attempt to repeal the parts of the Test Act whereby Scots holding English offices had to receive sacraments by Anglican rites, had begun almost as soon as similar moves to relieve the English dissenters had been defeated in 1790.³⁰⁸ The issue was raised and pressed by the Rev. Thomas Somerville and after a dramatic and lengthy debate, the General Assembly of 1790 appointed a committee to pursue the matter. By November 1790, this had produced a memorial outlining the case for repeal and stating, among other things, that the Test was 'derogatory to the Rights and Dignity of a high spirited people'.³⁰⁹ This assertion of a Scottish claim to equal treatment with England gives a clear picture of one

of the main motivations of the measure's supporters - irritation at the fact that in some ways Scottish presbyterians were second-class citizens, despite being members of an established church.

Despite this rapid progress, the decision of 11 February 1791 to take the matter to parliament was already doomed to failure. The Church of England - and hence the government - could scarcely countenance a bill that might again raise the Test Act as an issue in England.³¹⁰ Further, the move for repeal had, despite the repealers' best efforts, become a party issue. With some blurring at the edges, the Moderate party opposed repeal, while it was supported by the Evangelicals and the Scots opposition.³¹¹ The Moderate members of the committee had endeavoured to thwart the business in its progress³¹² and provided government with arguments against it, notably that the issue proceeded from no popular demands in Scotland, had excited little public interest and was being improperly pursued in being presented to parliament, rather than directly to the monarch, as was the Assembly's normal practice.³¹³ Several of these arguments were deployed by the government when the matter came before the Commons on 10 May and the motion was rejected by 149 votes to 62. Dundas's influence was particularly marked in getting Scots members to oppose it.³¹⁴ The association of the cause with opposition had been fatal and it was an early example of the ill-effect that the French Revolution was beginning to have on calls for reform.

The repeal case enjoyed support from one unexpected source. In May, Norman Macleod, elected for Inverness-shire with Dundas's

good wishes, fell out with government over Dundas's refusal to promise him an Indian appointment.³¹⁵ An erratic, unpredictable man, he promptly moved to support opposition on a wide variety of issues, latterly becoming the self-appointed parliamentary spokesman for the Scottish radicals. As was normal in such cases, he forfeited his rights to nominate candidates to government posts in Inverness-shire.³¹⁶

More important in the long run than the Test Act was the passage of the Corn Law of 1791, operative from November. Designed to replace legislation of 1773, it was the subject of considerable public interest in Scotland, introducing the principle that farmers would receive bounties for exporting grain, while importation would be prohibited until prices in a district - Scotland was ultimately divided into four - rose above 16/- a boll.³¹⁷ As early as May 1790, George Chalmers - an experienced Scottish lobbyist - had pointed out that a proposed grouping of Edinburgh with eight Southern and South Western counties - several with traditionally low meal prices - meant that the capital, far off, could be enduring high prices and grain riots for some time before average prices in the district rose so high as to allow importation.³¹⁸ That English districts were allowed to import at a markedly lower price than Scotland - 16/- per quarter, where in Scotland it was 16/- for the smaller boll - was a further objection, and it was raised by both the burghs and some landowners.³¹⁹ McDowall of Garthland, a landed gentleman sitting as a burgh MP, was neatly caught in the middle, feeling that the importation price for Scotland could reasonably be lowered to 15/- per boll and expressing alarm at the

inclusion of Ayrshire and Wigtownshire - low price counties - in the district with Glasgow. Hitherto the old laws had meant that Glasgow was constantly open to importation.³²⁰ At an early stage, Dundas had been congratulated for "using that influence which you justly possess in moderating the views of the country gentlemen which on subjects of this kind are often carried [sic] beyond their proper limits".³²¹ In fact the final legislation, although the most glaring anomalies were amended, still represented a clear victory for the landed interest and an assertion of their absolute dominance of the system at the expense of the tiny manufacturing interest. More importantly, because it directly threatened their living standards, it became another grievance added to the complaints of the Scottish lower orders. Almost unannounced, long overlooked by their social betters, and against a background of political upheaval in France, they were about to step to the centre of the Scottish political stage.

The first Scottish reactions to the French Revolution were mixed, ranging from the ultra-conservative Lord Fife's abhorrence of "the horrid scenes in France"³²² to the generally sympathetic tone of the Scots press, which had never been particularly well disposed to Pitt's administration.³²³ As in England, conservatives saw many benefits to be derived from France's being riven by internal dissensions.³²⁴ From November 1790, Burke's Reflections on the Revolution in France began seriously to influence the thinking of the English ruling class against the revolutionaries and while this work was not much admired in Scotland³²⁵ the debate about the Revolution came to parallel that in England.³²⁶ This debate

gathered in intensity from February 1791 with the publication of the first part of Paine's Rights of Man, the second following a year later. This had no wide circulation in Scotland prior to Midsummer 1792³²⁷ and as yet the Scottish upper classes were not faced with organised demands for political reform from below. Nonetheless, Paine's work, with its criticism of political corruption, social inequality and hereditary privilege, was anathema to them.³²⁸ They were comparatively ignorant of the lives and aspirations of the lower orders and many might have seconded a later verdict that they

"are in generall [sic], metaphysicians, consequently very obstinate and very presumptuous, they acquire this from the religious books they read, and whatever may be the advantage of Presbetry [sic] in other respects, it contains a strong leaven of Republicanism, and that leaven is still greater among all the Refiners upon Presbetry, Burghers, Anti-Burghers[,] Cameronians &c^a[.] If the French doctrines are more dangerous here than in England it proceeds from the causes I have mentioned..."³²⁹

Additionally it is clear that many in the landed classes were suspicious of the growing urban manufacturing society and its workforce³³⁰ and they had before them as proof the violence of the Glasgow weavers' strike of 1787.³³¹ A growing fear of social unrest began to grip the political elite. This applied to many who were not at all well affected to Dundas and in this the Scottish political nation came to mirror the developing crisis of opposition in England, where Burke had split with Fox in May 1791 and where a division of opinion was becoming apparent between the more conservative Whigs, led by Portland, and Fox's followers. For seven years opposition had been sustained by justified resentment at the manner in which the King and Pitt had conspired to remove them from office but for many this now gradually became irrelevant. Fox,

however, remained true to this article of faith and in this and in the enthusiasm of himself and his allies for the principles of the French Revolution and for wider measures of political reform, he began to drift apart from the Portlandites.

In Scottish terms this hardening attitude against reform was evidenced in early 1792. On 2 April, Dundas thwarted attempts immediately to abolish the slave trade. "I say God preserve us all from the rage of Reform and Reformers" wrote one supporter,³³² but the cause had been enormously popular in Scotland among the lower and middling ranks³³³ and they were furious. On 18 April, Dundas again saw off the attempts of the inept Sheridan to put Scottish burgh reform before the Commons. Even as Sheridan raised the business, he launched into a eulogy of the French Revolution and the matter was abruptly swept from the House on a wave of indignation.³³⁴

Against the background of near total resistance to reform, a tide of bitterness welled up from the lower orders. To anger at the rejection of the slave trade repeal and burgh reform were added resentments against the corn law and against certain government taxes, particularly those of the excise.³³⁵ Tension had been growing for over a year and boiled over into an extraordinary Summer of riots running from May to July, stretching from Berwickshire to Ross. The manifestations were various, ranging from the burning of Dundas in effigy in many places because of his opposition to reform, through to disturbances on account of local grievances. Most spectacular of all was the riot in Edinburgh on 4-5 June, when the traditionally rowdy celebration of the King's birthday became an overtly political demonstration

against Dundas and the government and culminated in attempts to storm the houses of local dignitaries. Contemporary observers explained these events either as the consequence of "a spirit of reform and opposition to the established government" spurred on by Paine's writings, or they endeavoured to point to specific local causes for each disturbance.³³⁶ In practice, the political nation, looking at the overall picture, drew the former conclusion and began to fear revolution. This was immediately evinced in a series of county and other meetings to vote loyal addresses in support of the government's proclamation against seditious writings. This had been made on 21 May with - another sign of the times - the support of Portland,³³⁷ but while its impact on Paine's sales was limited, it produced an interesting litmus test of political allegiances. In Stirlingshire, the change was dramatic. Dundas was advised that while the county

"is in general adverse to our side of the question in all political questions, the gentlemen & landed proprietors present approved of the propriety of addressing His Majesty[,] with the exception of M^r Peter Spiers who considered it unnecessary. The meeting not wishing any dissentient voice elected M^r Speirs preses & he was obliged to sign the address".³³⁸

That this general movement to address the King was part of a defence of the social order and not yet a conversion to the politics of Pitt and Dundas is strongly suggested by the Berwickshire meeting. Here the gentlemen "inimical to administration" would support the address but were not willing to allow any inference to enter it that they approved of the King's ministers.³³⁹ The opposition was changing position but this was to be on its own terms.

The nervousness of the political classes was demonstrated in the actions of the county and burgh reformers in July. A series of local meetings in April had shown that county reform still had considerable support among the lesser heritors.³⁴⁰ Nonetheless, the sense was gaining ground, as one opponent put it, that the times "are such as seem to call upon all men who have any real publick [sic] spirit to unite in resisting the present fashionable rage for innovation ... if the exertions of the reformers were successful ... the first effect will be to deprive the people of their contentment & industry...".³⁴¹ This was fully reflected in the July convention of county reformers at Edinburgh. The Lord Advocate had taken steps to ensure a "majority of moderate men"³⁴² but in fact the principal role of persuading the meeting to defer consideration of electoral reform until a further meeting in December was played by the conservative Whig, Sir Thomas Dundas, aided by Henry Erskine.³⁴³ The burgh reformers, meeting in Edinburgh in late July, took a similarly cautious line.³⁴⁴

The news of the late Summer, that the lower orders were forming groups to promote reform - the Societies of the Friends of the People - would serve to make others among the ruling elite waver in their attachment to opposition and reform. The pattern of Scottish politics for the previous decade was breaking up and that for the next decade was starting to form.

CHAPTER TWO: REFERENCES

1. Frank Brady, Boswell's Political Career, (Yale, 1965), p. 179, quoting Earl Temple's rueful comment to Boswell.
2. Pitt's connivance at the King's actions was long a subject of historical debate. The first detailed proof of the case against him was provided in Cannon, Fox-North Coalition, pp. 128-132. Dr. Paul Kelly has provided many of the missing pieces in 'British Politics, 1783-4: The Emergence and Triumph of the Younger Pitt's Administration', BIHR, LIV (1981). The matter is put beyond all doubt in Dundas's letter to Ilay Campbell of 11 December (SRA, Campbell of Succoth, TD219/6/75).
3. For the planned dissolution, see SRA, Campbell of Succoth, TD219/6/73, 78, letters of Dundas to Campbell, 16 and 18 December. For the problems preventing this, see Cannon, Fox-North Coalition, 149-50. Dundas outlined the problem to Campbell in letters of 26 December and 22 January (SRA, Campbell of Succoth, TD219/6/80, 85). His letter of 23 December confirms Cannon's view that it was the delay in dissolving and the dread of the Commons' resolutions against him, that made Temple suddenly resign as Secretary of State (SRA, Campbell of Succoth, TD219/6/79).
4. For the period generally, see Cannon, Fox-North Coalition, pp. 145-205. SRO, Home of Wedderburn, GD267/1/9/3, George Home to Patrick Home, 17 January 1784: "... Mr Dundas got great credite [sic] from all sides of the house, and was the only one of the new ministry who bore up agt [sic] the stream[.]"
5. NLS, Melville, Ms 5, ff. 1-6, Duke of Gordon to Dundas, 6 December 1783. Among the MPs to defect were Sir James Cockburn (Namier and Brooke, HP, II, pp. 229-30); Lord Frederick Campbell (ibid, II, pp. 182-3); Sir Archibald Edmonstone (ibid, II, pp. 380-2); Archibald C. Fraser (ibid, II, p. 469); Lord William Gordon (ibid, II, pp. 519-520).
6. SRO, Home of Wedderburn, GD267/1/9/9, George Home to Patrick Home, 14 February 1784, discusses the appointments of Reid as a Commissioner of Customs and Menzies as Inspector of Customs. For Dundas's exclusion from the choice, see SRA Campbell of Succoth, TD219/6/92, Dundas to Campbell, [5 February 1784]. For Pitt's reputation for honesty and integrity at this early period, see Cannon, Fox-North Coalition, pp. 230-1.
7. SRA, Campbell of Succoth, TD219/6/88 (1), Dundas to Campbell, 27 January [1784].
8. Letters of Dundas to Campbell, 22 January, 21, 23 and 26 February 1784, (SRA, Campbell of Succoth, TD219/6/85, 81, 90A, 93).

9. SRA, Campbell of Succoth, TD219/6/91, Dundas to Campbell, 9 March [1784].
10. SRA, Campbell of Succoth, TD219/6/73, same to same, [18 December 1783]; SRO, Home of Wedderburn, GD267/1/9/3, George Home to Patrick Home, 17 January 1784.
11. For the English elections see M.D. George, 'Fox's Martyrs: The General Election of 1784', in Essays in Modern History, ed. I.R. Christie (London, 1968), pp. 234-67.
12. The myth of East Indian patronage and its influence on the Scottish elections of 1784 is effectively destroyed by Barun Dé, 'Henry Dundas and The Government of India, 1773-1801' (Oxford D.Phil, 1961), pp. 236, 238, 302-5. This picture is further confirmed by SRA, Campbell of Succoth, TD219/6/83, Henry Dundas to Ilay Campbell, 8 January 1784; and by SRO, Buccleuch, GD224/30/3/2, Dundas to Buccleuch, 24 August 1784.
13. Namier and Brooke, HP, I, pp. 469-512.
14. E.g: Berwickshire: SRO, Home of Wedderburn, GD267/1/9/3, George Home to Patrick Home, 17 January 1784; Glasgow burghs, Renfrewshire and Ayrshire: SRA, Campbell of Succoth, TD219/6/80, Dundas to Ilay Campbell, 26 December [1783]; Ayr Burghs: SRA, Campbell of Succoth, TD219/6/83, Dundas to Campbell, 8 January 1784; Anstruther Burghs: SRO, Melville, GD51/5/423/2, Robert Dundas, Lord Advocate to Henry Dundas, 10 May 1798 (a later discussion of the election); West Lothian: HMC Rutland, III, pp. 88-9, Dundas to Duke of Rutland, 13 April 1784; Orkney: SRO, Melville, GD51/6/887, David Balfour to Dundas, 25 April 1791; Midlothian: SRA, Campbell of Succoth, TD219/6/82, Dundas to Ilay Campbell, 6 January 1784, Ann Arbor, Melville papers, letters of Dundas to Abercorn (copy) and Abercorn to Dundas, 18 January 1784.
15. Those who generally took the government line: Lord F. Campbell, Ilay Campbell, James Campbell, Hew Dalrymple, Archibald Douglas, Sir George Douglas, James Duff (Lord Fife), Henry Dundas, Sir Archibald Edmonstone, Alexander Garden, Lord Alan Gordon, Lord William Gordon, Patrick Home, James Hunter Blair, Peter Johnston, Sir James Johnstone, Sir Robert Laurie, William McDowall, Hugh Montgomerie, John Moore, Hector Munro, David Murray, James Murray, Sir Charles Preston, John Pringle, Sir James Steuart Denham, Hon. Keith Stewart, William Wemyss.
Those who generally took the opposition line: William Adam, John Anstruther, Alexander Campbell, Sir David Carnegie, Charles A. Cathcart Francis Charteris, Sir William Cunynghame, George Keith Elphinstone, Thomas Dundas yr of Fingask, Sir Thomas Dundas of Castlecary, Charles J. Fox, Francis H. MacKenzie, Robert Skene, Hon. James Stuart. William Dalrymple was probably an opposition supporter, and while nominally independent, both Sir James Duff and George Dempster had opposition leanings: (source: Namier and Brooke, HP, vols. II and III, passim).

16. Ann Arbor, Melville papers, Dundas to Lord Sydney, 13 April 1784.
17. Supporters: Queensberry, Lothian, Morton, Moray, Abercorn, Galloway, Eglinton, Aberdeen, Hopetoun, Dunmore, Balcarres and Elphinstone. Opponents: Stormont, Cassillis and Breadalbane. See M.W. McCahill, 'The Scottish peerage and the House of Lords in the late eighteenth century', SHR, LI (1972), p. 190. Lord Dalhousie did not attend the House.
18. For Lord Selkirk's views and some comment on the confused nature of the canvass, see SRO, Morton papers, GD150/2378, Selkirk to Lady Morton, 6 March 1784. Selkirk's and Kinnaird's election strategy is described in Alexander Fergusson, The Honourable Henry Erskine (London, 1882), pp. 196-9.
19. The ambiguity in the government list can be seen in Selkirk's letter above. Dundas felt that Cassillis, who turned out to be an opponent, might be a good candidate for government: Ann Arbor, Melville papers, Dundas to Lord Sydney, 13 April 1784. Lord Sydney acted as the central co-ordinator of the government campaign, with advice from Dundas. For the disappearance of the system of the "King's List", see Sir James Fergusson, The Sixteen Peers of Scotland (Oxford, 1960), pp. 86-8.
20. SRO, Home of Wedderburn, GD267/1/9/3, George Home to Patrick Home, 6 May 1784.
21. See B.W. Hill, British Parliamentary Parties, 1742-1832 (London, 1985), p. 155; Ian R. Christie, Wars and Revolutions, (London, 1982), chapter 8.
22. Paul Kelly, 'British Parliamentary Politics, 1784-1786', in Historical Journal, xvii (1974), pp. 741-2.
23. Namier and Brooke, HP, II p. 184; SRA, Campbell of Succoth, TD219/6/95, James Aiton, preses of Cambuslang and Rutherglen weavers to Campbell, 6 October 1784.
24. SRO, Buccleuch, GD224/30/3/2, Dundas to Buccleuch, 24 August 1784.
25. Pitt papers, PRO 30/8/157, ff. 315-24, Dundas to Pitt, 10 or 13 December 1784.
26. Pitt papers, PRO 30/8/154, ff. 3-4, Alexander Macalpine to Pitt, 10 February 1788.
27. SRO, Home of Wedderburn, GD267/1/10/58-60, George Home to Patrick Home MP, 12 May 1785. This letter gives some idea of the government and opposition propaganda battle over the Irish Resolutions. For further details of the landed interest's fear of the proposals, see ibid, GD267/1/10/28, 29, letters of George Home to Patrick Home, 17 and 19 March 1785, and HMC Rutland, III, p. 187, Daniel Pulteney to Duke of Rutland, 8 March 1785.

28. SRO, Melville, GD51/5/396, Henry Dundas to Sir John Dalrymple, 24 July 1781, (copy); NLS, Melville, Ms 16, ff. 40-1, Lord North to Dundas, 18 November 1781. SRA, Campbell of Succoth, TD219/6/470, Dundas to Ilay Campbell, Lord President, 9 April [1792].
29. SRO, Home of Wedderburn, GD267/1/10/51, 52-3, letters of George Home to Patrick Home MP, 3 and 5 May 1785.
30. SRO, Home of Wedderburn, GD267/1/10/44, 69, letters of same to same, 21 April and 31 May 1785, showing the irritation of the Lord President - Dundas's half-brother - and the Faculty of Advocates at the manner in which they were consulted.
31. N.T. Phillipson, 'Scottish Public Opinion and the Union in the Age of the Association', in Phillipson and R. Mitchison (eds.), Scotland in the Age of Improvement, (Edinburgh, 1970), pp. 125-147.
32. SRO, Home of Wedderburn, GD267/1/10/66, George Home to Patrick Home MP, 23 May 1785; also GD267/1/10/58-60, same to same, 12 May 1785, "This contempt our governors show for the opinion of the publick [sic] will meet them some time or other[.]"
33. Quoted, Phillipson, op.cit, p. 129. The original is SRA, Campbell of Succoth, TD219/56/1, Robert Dundas, Lord Chief Baron to William Dundas, 11 October 1805 (copy).
34. Phillipson, op.cit, pp. 130-1; SRO, Home of Wedderburn, GD267/1/10/72, George Home to Patrick Home MP, 14 June 1785, "Our court has mett[sic] today[,] some of them not I believe in very good humour with the President [who opposed the reform], but he has the publick [sic] on his side so they dare not say any thing".
35. James Boswell, A Letter To The People of Scotland, On The Alarming Attempt to Infringe The Articles of The Union, (London, 1785). Boswell was at one of the low points of his life when he wrote and he was certainly looking to stir up an opposition and excite attention (Brady, op.cit, p. 119). He may even have seen himself as a Wyvill of the North (Phillipson, op.cit, p. 137). The pamphlet was exceptionally abusive about Dundas and his motives (pp. 6-7), asking at one point "And are any despots of our own land to be permitted to oppress us? I hope not" (p.84). It was from this production that Dundas found a new nickname: 'Harry the Ninth'. Dundas's personal reaction can be guessed from his reply to a later request from Boswell for a judge's gown, in which he used several points advanced by the pamphlet to show how inappropriate it would be to elevate its author: SRO, Melville, GD51/5/400/2, Dundas to Boswell, [n.d., but post 9 November 1786] (draft).

36. D.E. Ginter, Whig Organization in the General Election of 1790 (University of California, 1967), p. 46, has a note on the foundation of the Club. Two lists of members, with slight differences, have been identified. In each case it seems that the founding members joined in 1785 and that the additional intake was listed in 1791. For the lists, see SRO, Professor Hannay's papers, GD214/769 and SRO, Dalguise Muniments, GD38/1/1112.
37. Erskine was the subject of a biography by Alexander Fergusson, who had access to some of his surviving papers, now missing. It is "appallingly diffuse" (Lenman, op.cit., p. 175), but conveys the spirit of the man. His personal relations with Dundas seem characterised by formal politeness and cool respect. This can be sensed in a correspondence between the two of November 1782, in SRO, Melville, GD51/6/777. Dundas seems to have been scornful of his fitness for the Lord Advocate's post in 1783 (SRA, Campbell of Succoth, TD219/6/466, Dundas to Ilay Campbell, 27 August [1783]) but Ilay Campbell's favourable verdict on Erskine's legal abilities reflected a more generally held view (SRO, Home Office Correspondence (Scotland), RH2/4/66, ff. 190-3, Ilay Campbell, Lord President to Dundas, 3 December 1792). Something of Erskine's political skill and insights can be gathered from his correspondence with Lord Grenville as he endeavoured to shake the Melville grip on Scotland in 1806: see BL, Grenville, Add Mss 58,953 and 59,263 passim.
38. For Sir Thomas Dundas's management of Scotland, see Boswell, op.cit., pp. 10-11. Adam's work is the central theme of Ginter, op.cit. For Innes and his activities, see BL, Pelham, Add Mss 33,107, ff. 453-4, Innes to Pelham, 16 August 1801. There is a copy in SRO, Home Office Correspondence (Scotland), RH2/4/215, ff. 278-81. See also ibid., ff. 289-92, copy memorial for Charles Innes offered to the consideration of the Duke of Portland, 1801.
39. SRO, Home of Wedderburn, GD267/3/11/14, George Home to Patrick Home MP, 15 July 1784.
40. NUL, Portland, PwF 9215, Portland to Lord Loughborough, 13 September 1785.
41. SRO, Home of Wedderburn, GD267/1/10/69, George Home to Patrick Home MP, 31 May 1785. This letter also notes that Ilay Campbell, Lord Advocate, was very unpopular in the Faculty and Blair seldom attended its meetings.
42. DCRO, Sidmouth papers, 152 M, C 1801, OZ 17, Henry Dundas to Henry Addington, 9 May 1801. Fergusson, Henry Erskine, pp. 263-5.

43. Pitt papers, PRO 30/8/157, ff. 144-53, Dundas to Pitt, 22 November 1792, "The newspapers have not been friendly to us in this country, and indeed no pains have ever been taken to make them so".
44. SRO, Morton, GD150/2378, Lord Selkirk to Lady Morton, 6 March 1784.
45. The document is printed in HMC, Laing, II, pp. 681-2. The original is not currently available at Edinburgh University to inspect the handwriting, but from its contents it is probably dated about 1788-9.
46. See chapter one. Boswell in particular was eloquent on the point in his 1785 pamphlet, especially pp. 8-11.
47. SRO, Home of Wedderburn, GD267/1/14/10, George Home to Patrick Home MP, 27 March 1789.
48. BL, Grenville papers, Add Mss 59,263, ff. 4-11, Henry Erskine, Lord Advocate to [Lord Spencer], 18 August 1806.
49. NUL, Portland, PwF 3592, Henry Erskine to Portland, 14 July 1786.
50. Dundas's involvement in the county reform bill of 1775 has been mentioned in chapter one and is discussed by Murdoch and Dwyer in the two articles cited there. For Dundas's approval of administrative reform, see his suggestion that a Board of Commissioners should be established to oversee public accounts in Scotland: NLS, Melville, Ms 9370, ff. 3-6, Dundas to the Lords of the Treasury, 2 November 1782 (copy).
51. SRO, Buccleuch, GD224/30/11/10, Dundas to Buccleuch, 16 April [1785].
52. This section is largely based on H.W. Meikle, Scotland and the French Revolution, (Edinburgh, 1912), pp. 16-24 and John Cannon, Parliamentary Reform 1640-1832, (Cambridge, 1972), chapter 5.
53. Meikle, op.cit, p. 18, discusses the committee members. For Gardenstone and his loyalties, see SRO, Melville, GD51/6/806/1, Gardenstone to Dundas, 29 January 1787; ibid, GD51/5/364/1/37, same to same, 8 October 1788. The London Committee for pursuing the reform included, by 1791, such opposition stalwarts as Lords Saltoun, Selkirk, Sempill and Dumfries, together with John Shaw Stewart, then MP for Renfrewshire; see Pitt papers, PRO 30/8/176, ff. 220-1, Minute of the London Committee, 16 May 1791.
54. Unsuccessful attempts were made to interest several, including George Dempster (Meikle, op.cit, p. 23) and Patrick Home (SRO, Home of Wedderburn, GD267/1/12/3, Patrick Home to John Wilson, 11 March 1787 (copy)).

55. "... Sheridan's parliamentary campaign had the impetuosity of a slow bicycle race". Cannon, Parliamentary Reform, p. 113.
56. This section is largely based on Cannon, Parliamentary Reform, chapter 5 and W. Ferguson, Scotland, 1689 to the Present, (Edinburgh, 1968), pp. 242-3.
57. For the early history of the demand for franchise reform in the counties, see W. Ferguson, 'The Electoral System In The Scottish Counties Before 1832' in David Sellar (ed.), Miscellany Two, (Stair Society, Edinburgh, 1984), pp. 283-4.
58. SRO, Home of Wedderburn, GD267/1/10/25, George Home to Patrick Home MP, 15 March 1785. Little is known about this bill; Meikle, op.cit, p. 11.
59. Meikle, op.cit, p. 127; SRO, Melville, GD51/5/364/4/7, Hopetoun to Dundas, 8 July 1792.
60. Thorne, HP, I, pp. 72-3, discusses this. George Home felt that the Lord Chancellor's decision would pave the way for an alteration of the law "and without such a decision the peers would never have permitted such an alteration"; SRO, Home of Wedderburn, GD267/1/15/28, George Home to Patrick Home MP, 29 April 1790.
61. The sense of the way in which the county reformers pursuing franchise extension were now on the outside and at odds with those who might previously have been their associates, is strongly suggested in a letter of John Bushby to Lord [?Advocate Robert Dundas], 3 May 1792, SRO, Melville, GD51/1/198/14/2.
62. McCahill, op.cit, pp. 179-182, has an account of this, as does Fergusson, Sixteen Peers, pp. 86-7. For the 1774 election, see [Anon.], To the D. of B. by One of your best Friends (October 1777), p. 1 and R.A. Roberts (ed.), Calendar of Home Office Papers of the Reign of George III 1773-1775 (London, 1899), pp. 255-9.
63. Fergusson, Henry Erskine, p. 293, quotes a letter by Mrs Murray of Cringletie to Elizabeth Steuart of Coltness, 1791: "... there is a set who call themselves independant [sic] peers, which, tho' well affected to the present Ministry, don't, I believe, stand high in the good graces of that Ministry".
64. SRO, Buccleuch, GD224/30/3/4, Dundas to Buccleuch, 22 November 1787.
65. SRO, Buccleuch, GD224/30/9/2, Dundas to Buccleuch, 23 February 1787. This letter shows that government did not try to influence the Lords' decision. For the background to the status of British peers, and the Scottish peerage at this time, see G.M. Ditchfield, 'The Scottish representative peers and parliamentary politics 1787-1793', SHR, LX (1981), pp. 14-31.

66. NUL, Portland, PwF 3595, Henry Erskine to Portland, 25 August 1786: Selkirk was "much shaken" in his former opinion of Pitt, "And as he disclaims the aid of Administration his success would be a blow to them ... even Lord Kinnaird would be a victory... he might perhaps be brought to take an independent line in Parliament". For the government view, see SRO, Buccleuch, GD224/30/9/2, Dundas to Buccleuch, 23 February 1787. Pitt himself became involved in the government canvass: BL, Liverpool, Add Mss 38,192, f. 38, Dundas to Hawkesbury, 20 March 1787; *ibid*, f. 54, Pitt to same, 25 March 1787. Cathcart came looking for a British Peerage as a consolation: Pitt papers, PRO 30/8/121, ff. 226-7, Cathcart to [?Pitt], 29 March 1787.
67. Ditchfield, *op.cit*, pp. 22-4. For the reaction of the election clerks to the dispute, see SRO, Home of Wedderburn, GD267/23/6/22, 23, letters of Dundas to George Home, 14 April 1787, and Lord Thurlow to Dundas [April 1787] (copy); *ibid*, GD267/3/17/22, George Home to Patrick Home, 19 March 1787.
68. SRO, Buccleuch, GD224/30/3/4, Dundas to Buccleuch, 22 November 1787.
69. See SRO, Home of Wedderburn, GD267/1/4/52, George Home to Patrick Home MP, 10 January 1788: "The Election concluded with a protest by Lord Dumfries and Lord Selkirk that the Election was null and void, as being brought about by undue and unconstitutional influence, as they would establish in the proper place"[.] For the disputes after the election, see SRO, Home of Wedderburn, GD267/3/15/10, 11, letters of George Home to Patrick Home MP, 21 February 1788. Cathcart had in fact carried his election by only one vote.
70. McCahill, *op.cit*, p. 191.
71. HMC Fortescue, III, p. 421: Dundas to W.W. Grenville, 2 September 1787: "I am sorry to perceive that our opponents are beginning even already to take their measures in this part of the world with a view to a general election". Pitt papers, PRO 30/8/157, ff. 43-8, Dundas to [?Pitt], 11 August [1788]: "... it will be much more troublesome than I expected for our adversaries are indefatigable, and idle as the pageant may appear to be[,] the Prince's name serves them in very considerable stead". *Ibid*, PRO 30/8/157, ff. 53-8, same to Thomas Steele, 2 September 1788: "... I find them [opposition] exceedingly awake in this part of the world, and whatever other effects it may produce, it will certainly have the effect of teasing me not a little and obliging me to be very much upon the watch".
72. Dr. Kelly's views are set out in 'British Parliamentary Politics, 1784-1786', in Historical Journal, XVII (1974), esp. pp. 738-40. They have gained some acceptance among English historians; see Christie, Wars and Revolutions, pp. 204-5.

73. Namier and Brooke, HP, I, pp. 170-1.
74. SRO, Home of Wedderburn, GD267/1/10/66, George Home to Patrick Home MP, 23 May 1785.
75. Namier and Brooke, HP, I, p. 169.
76. Pitt papers, PRO 30/8/170, ff. 145-6, Alexander Read to Pitt, 14 February 1784.
77. Fergusson, Henry Erskine, p. 200: Mrs. K. Mure to Mrs E. Steuart: "There is not half of our sixteen [peers] can afford to be independant [sic], as they call themselves: they all would take either a post or pension could they get it".
78. Henry Erskine and the incoming Talents administration of 1806-7 accepted this without comment: "A few of those who had resisted the present ministers when in opposition declar'd their willingness to support them when in power and their aid was most wisely & properly accepted of, and will no doubt, as it ought, be duly acknowledg'd". (Henry Erskine to [Lord Spencer], 18 August 1806, BL, Grenville, Add Mss 59,263, ff. 4-11).
79. SRO, Melville, GD51/1/198/21/39, George Paterson to Colonel Thomas Graham, [11 x 26] April 1807 (copy).
80. James Boswell, A Letter To The People of Scotland, (London, 1784), pp. 3-6.
81. Namier and Brooke, HP, I, p. 169; EUL, Phot 1717, Francis Horner to Dugald Stewart, 6 April 1805: "All the old topics against placemen, and Scotsmen, are in full cry...".
82. SRO, Home of Wedderburn, GD267/1/12/3, Patrick Home MP to John Wilson, 11 March 1787 (copy).
83. For these riots generally, see K.J. Logue, Popular Disturbances in Scotland, 1780-1815, (Edinburgh, 1979).
84. SRO, Buccleuch, GD224/30/3/2, Dundas to Buccleuch, 24 August 1784.
85. NUL, Portland, PwF 3982, Lady M. Saltoun to Portland, 2 August 1794. The strength of feeling can also be gauged from a letter of Sir James St. Clair Erskine to Robert Dundas, 6 December 1789: "I cannot but regret that your sentiments upon publick [sic] & political questions have hitherto differ'd so widely from those I entertain as to render it impossible for me to hold out to you any expectation of my support in the event of your becoming a candidate for the county of Midlothian". (EUL, Laing Mss, Div. II, 500).
86. Ginter, op.cit, p. xxxiii.

87. In his view of party politics, Dundas was indeed "the complete eighteenth-century politician, out of season and run to seed". (Ferguson, Scotland, 1689 to the Present, p. 237). See SRO, Melville, GD51/5/478/7, Melville to Lord Chancellor Eldon, 13 May 1811 (copy): "Unfortunately for the law of this country a spirit of party, unknown before in the profession of the law, was about little more than twenty years ago, introduced into the Faculty of Advocates, and has been productive of serious inconveniences". While the reference is clearly to the law, it accords with his other attitudes to politics generally and ignores the troubles he had had with his opponents in the Faculty since at least 1785. Probably the turning point in Dundas's attitude to politics was the Regency Crisis and the issues that it raised but, like many others, he attached more importance to the events surrounding the rise of the radical democratic movement and the outbreak of the war.
88. Pitt papers, PRO 30/8/157, ff. 43-8, Dundas to Pitt, 11 August 1788.
89. NLS, Melville, Ms 4, ff. 73-4, Buchan to Dundas, 17 April 1788; Pitt papers, PRO 30/8/117, ff. 20-21, Dundas to Pitt, 8 April 1789. It is fair to point out that Buchan was a little eccentric but he was still a prominent figure among the Whig peers, and brother to two of the foremost Scottish Whigs. NLS, Melville, Ms 14, ff. 13-14, Glencairn to Dundas, 11 May 1789.
90. C.E. Adam, View Of The Political State of Scotland In The Last Century, (Edinburgh, 1887), p. 101; NLS, Melville, Ms 6, ff. 1-3, Robert Dundas, Lord Advocate to Henry Dundas, 31 December 1790.
91. McCahill, op.cit, pp. 190-1 shows the difficulty in classifying Breadalbane. SRO, Home of Wedderburn, GD267/3/15/24, George Home to Patrick Home MP, 28 April 1788, shows Home's annoyance at Breadalbane, who had been expected to support government in a vote but had not done so. For Dundas's offers of favours to Breadalbane, see NLS, Melville, Ms 4, ff. 103-4, 124-5, Breadalbane to Dundas, 25 February and 15 March 1790.
92. SRO, Breadalbane, GD112/40/15, Letter of Colin Campbell to Breadalbane, 6 May 1789. I owe this reference to Dr John Brims.
93. For the struggle in Perthshire and the way in which local and party struggles merged, see Adam, Political State, p. 257. For the long history of the disputes between successive Dukes of Montrose and the Stirlingshire gentry, see R.M. Sunter, 'Stirlingshire Politics, 1707-1832', (Edinburgh University Ph.D, 1971).

94. Cannon, Fox-North Coalition, p. 238 discusses this facet of the rise of party with reference to the crisis of 1784. Here are some Scottish examples: SRO, Melville, GD51/1/198/3/1, Claud Alexander to Dundas, 9 October 1788, in which the writer describes his loyalty to government despite many of his relatives being Foxites; ibid, GD51/5/364/3/15(3), Robert Baillie to Dundas, 18 April 1791, in which the writer recounts his support for government in the 1784 election, "in Fife upon that occasion I left my former freinds [sic] & connections..."; NLS, Melville, Ms 1053, ff. 23-4, John Bushby to [], 14 September 1793, mentioning that Sir James Graham "had even left the oldest friends of his family in politics merely on the ground that they were in opposition to Mr Pitt".
95. For Dundas's early plans, see BL, Auckland, Add Mss 34,412, ff. 352-9, Dundas to William Eden, 5 September 1775. For Thurlow's attitude, see SRO, Melville, GD51/7/1/11, Ilay Campbell to [?Dundas], 13 August 1784, and HMC Rutland, III, p. 194, Thomas Orde to Duke of Rutland, 14 December 1784.
96. For the professions of loyalty of one of the repossessed, at a crucial period for Pitt, see Pitt papers, PRO 30/8/130, ff. 215-6, James Drummond to Pitt, 22 February 1789. For a discussion of the government's control of the thirteen estates, see A. Smith, 'The Administration of the Forfeited Annexed Estates, 1752-1784', in G.W.S. Barrow (ed.), The Scottish Tradition, (Edinburgh, 1974), pp. 198-210.
97. Dacres Adams papers, PRO 30/58/1/17, Dundas to Pitt, 23 October [1785].
98. For a comparison of the public perceptions of Pitt and Fox, see Cannon, Fox-North Coalition, pp. 230-3. There are occasional allusions to favourable Scottish memories of Chatham: NLS, Melville, Ms 354 A, ff. 113-4, A. Fraser Lovat to Dundas, 6 January 1791; SRO, Melville, GD51/1/354/12, David Black, Glasgow, to Pitt, 11 February 1785; Pitt papers, PRO 30/8/318, ff. 110-111, George Buchan Hepburn to Pitt, 10 February 1784; SRA, Campbell of Succoth, TD219/5/75, Sir A. Edmonstone to Archibald Campbell, 15 October 1787.
99. For Pitt's character there are numerous books and articles. The best is that by John Ehrman, The Younger Pitt [volume I] The Years of Acclaim (London, 1969) esp. chapter 18. See also R.J. White, 'The Younger Pitt: The Great Solitary', in M.J. Barnes (ed.), Politics and Personality 1760-1827 (Edinburgh, 1967).
100. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 58, Henry Dundas to Elizabeth Dundas, 18 [January 1784], quoted Matheson, Dundas, p. 101. For Pitt's friends' view of Dundas and his bad influence on Pitt's personal life, see Ehrman, op.cit, pp. 584-5. For Pitt and Dundas at Wimbledon at this period, see SRO, Buccleuch, GD224/30/9/2, Dundas to Buccleuch, 23 February 1787.

101. HMC Fortescue, II, p. 595, Pitt to Lord Grenville, 5 July 1794.
102. NLS, Melville, Ms 14838, ff. 67-70, Melville to Robert S. Dundas, 11 July 1807.
103. HMC Rutland, III, p. 152, Thomas Orde to Duke of Rutland, 30 November 1784. For similar English views, see ibid, p. 131, Daniel Pulteney to same, 13 August 1784: "Another jealousy too may break out if Dundas is not a little checked relative to the Scotch, for whom every thing is claimed and granted without debate". HMC Fortescue, I, p. 309, Marquis of Buckingham to Grenville, 14 March 1788, writing of Ireland: "the idea of the extent of the push at Mr. Pitt is very widely spread, and it is attributed solely to Mr Dundass [sic] ... it is pointed to his want of judgement, to his jobs, and to the discontent which he has given in the India House".
104. SRO, Home of Wedderburn, GD267/1/14/10, George Home to [Patrick Home MP], 27 March 1789.
105. Pitt papers, PRO 30/8/157, ff. 63-6, Dundas to Pitt, 29 September 1788.
106. See e.g. Pitt papers, PRO 30/8/157, ff. 79-80, Dundas to Pitt, 8 April [1789]; ibid, PRO 30/8/146, ff. 72-83, Charles Hope, Lord Advocate to Melville, 22 May 1804: "as his honour's negligence about papers is notorious, don't let him pocket it".
107. The 4th Earl of Bute, no intimate of Dundas's, habitually dealt directly with Pitt: Pitt papers, PRO 30/8/118, ff. 214-5, Bute to Pitt, 23 February 1798: "You as the King's first minister, have, of right, the disposal of everything, and to you I shall be happy to owe the obligation". Some indication of Dundas's influence can be seen from the fact that the majority of letters in Pitt's papers relating to Scotland are actually addressed to Dundas.
108. The phrase is Sir Thomas Dundas's: Fergusson, Henry Erskine, p. 265.
109. Pitt papers, PRO 30/8/141, ff. 121-2, Hamilton to [Pitt], 26 May 1791.
110. NLS, Melville, Ms 1049, ff. 49-50, Sir William Murray of Ochertyre to Dundas, 22 September 1800.
111. E. Cregeen, Argyll Estate Instructions (Scot. Hist Soc., Edinburgh, 1964), pp. ix, x.

112. He had sought the Duke's support in his campaign to reform the county franchise in 1775: see SRO, Melville, GD51/1/196/9, [Henry Dundas] to [Argyll], [1775] (copy). Dundas's early friendship with the Duke's brother, Lord Frederick Campbell, had survived an unfortunate collision between the two in the Glasgow Burghs election of 1780. See SRO, Melville, GD51/1/198/15/12, 21, letters of Dundas and Lord Frederick, 19 and 24 September 1780.
113. Sir James Fergusson (ed.), Letters of George Dempster to Sir Adam Fergusson, 1756-1813, (London, 1934), p. 169. SRA, Campbell of Succoth, TD219/6/6, Ilay Campbell, Lord President, to Argyll, 9 November 1789 (draft); ibid, TD219/6/190, Argyll to Campbell, 15 December 1789.
114. For the Argyllshire freeholders and their demands, see Adam, Political State, p. 43; Pitt papers, PRO 30/8/108, ff. 219-20, Argyll to [?Pitt], 15 April 1791; SRO, Melville, GD51/1/653/1-2, letters of Argyll to Dundas and to the Duke of York, 6 August 1795.
115. SRO, Melville, GD51/5/364/14/53, David Reid to Melville, 14 October 1807.
116. His father had been an English resident and was blind. For his early political career, see J. Robertson, The Scottish Enlightenment and the Militia Issue, (Edinburgh, 1985), pp. 139-40. For his offices, see Namier and Brooke, HP, II, p. 526. For his dispute with Dundas, which will be discussed later, see Dacres Adams papers, PRO 30/58/5/111, Montrose to Pitt, 21 November 1804.
117. EUL, Laing Mss, Div. II, 500, Sir James Colquhoun to Robert Dundas, Lord Advocate, 19 December 1795.
118. SRA, Campbell of Succoth, TD219/6/73, Dundas to Ilay Campbell, [18 December 1783], also ibid, TD219/6/80, same to same, 26 December [1783]; for Sir James Steuart, see Pitt papers, PRO 30/8/141, ff. 111-112, Hamilton to Pitt, 14 April 1789; Namier and Brooke, HP, III, pp. 477-8.
119. For his run of letters to Pitt, see Pitt papers, PRO 30/8/141, ff. 97-162.
120. For the battle for the Glasgow Burghs, see Pitt papers, PRO 30/8/141, ff. 117-8, Hamilton to [Pitt], 12 February 1790. Hamilton's refusal to interfere in the West Lothian election seems to have stemmed from the denial of a pension application; see SRO, Home of Wedderburn, GD267/16/6/25, George Home to Patrick Home MP, 3 May 1789. For allegations that his conduct in the Linlithgow burghs favoured opposition, see SRO, Melville, GD51/5/364/4/6, Hopetoun to Sir Alexander Livingstone, 8 July 1792 (copy). There is a clear allusion to, although no explanation of, a dispute between Hamilton and Dundas at this time: SRO, Melville, GD51/6/12, Sir James Steuart Denham MP to Dundas, 30 August 1790.

121. SRO, Melville, GD51/7/4/44, Hamilton to Dundas, 25 October 1794. Dundas's reply, dated 31 October is in the Hamilton muniments at Lennoxlove, NRA(S) Survey 2177, bundle 2221.
122. For the Glasgow election of 1796, see SRO, Melville, GD51/1/198/22/1, John Dunlop to Robert Dundas, Lord Advocate, 5 May 1795. Hamilton attempted to advance Sir John Moore, a family protege, for the Linlithgow burghs. Dundas had already decided to try to elect his brother-in-law and wrote to Hamilton, "that if I was not to bring forward my friend, it would not prevent a contest probably fatal to the wishes of yours". See NLS, Melville, Ms 1059, ff. 134-5, Hamilton to Dundas, 16 December 1795, with copy reply by Dundas affixed.
123. NLS, Melville, Ms 1, ff. 232-3, Melville to Lord Douglas, 30 January 1811 (copy). Printed in Furber, Dundas, pp. 284-6.
124. For the early Hopetoun/Arniston association, see chapter one. See also NLS, Melville, Ms 4, ff. 39-40, Lord Napier to Dundas, 9 January 1784.
125. "Hopetoun has become a patriot", wrote George Home, using the early eighteenth century term for an opponent of government: SRO, Home of Wedderburn, GD267/1/15/38, George Home to Patrick Home MP, 4 August 1790.
126. SRO, Home of Wedderburn, GD267/3/11/25, same to same, 1 August 1793, for Hopetoun's aspirations to a UK peerage.
127. For Atholl's local influence in Perthshire and its burghs, see Adam, Political State, p. 256; AUL, Ms 2013/3, Atholl to Dundas, 29 August 1792. For Dundas's connection with Atholl, see Pitt papers, PRO 30/8/157, ff. 351-4, Dundas to Pitt, 28 January [1784]. Atholl discussed his long association with Pitt in 1799: PRO 30/8/109, ff. 33-4, Atholl to Pitt, 5 July 1799.
128. Atholl spent much time pressing the claims of his brother for English church preferment; see PRO 30/8/162, ff. 176-81, letters of Lord George Murray, 1792-1800.
129. For the compulsory purchase, Murdoch, People Above, p. 111. Many of Atholl's letters in the Pitt papers concern the business. See also AUL, Ms 2013/3, Atholl to Dundas, 29 August 1792; SRO, Melville, GD51/1/228, Dundas to Atholl, 27 September 1792 (copy); DCRO, Sidmouth papers, 152 M, C 1801, OZ 181, Atholl to Addington, 12 February 1801; Atholl discusses the settlement of the matter in Pitt papers, PRO 30/8/109, ff. 26-9, Atholl to Pitt, 24 December 1805.
130. SRO, Melville, GD51/1/198/29/7, a memorandum of 1809-10 listing Melville's Scots supporters, including Atholl.

131. The business is discussed in Thorne, HP, II, p. 565. In a letter heavy with irritation and menace, Dundas wrote to the Duke on 4 March, "You have certainly a perfectly good title to give your support to any candidate you please without any communication with your friends; but you must, on the other hand, admit that your friends have an equal right to chalk out their own line of conduct, without any communication with your Grace...": SRO, Melville, GD51/1/198/21/8. Atholl's attempts to interest Pitt in his favour met with no success: Pitt papers, PRO 30/8/195, f. 117, Pitt to Atholl, 4 March 1794 (copy).
132. SRO, Melville, GD51/5/364/8/4, Dundas to Atholl, 4 February 1796 (copy).
133. Adam, Political State, p. 339, for Sutherland in 1788.
134. The Whigs had vain hopes of poaching the Sutherland family from the Pittite camp in 1790: Ginter, op.cit, p. 47. For the family's defection in 1805, see J.J. Sack, The Grenvillites, 1801-29 (Illinois, 1979), p. 81.
135. SRO, Melville, GD51/5/364/15/11, Charles Hope, Lord Justice Clerk to Robert S. Dundas, 10 February 1808.
136. McCahill, op.cit, p. 190.
137. DCRO, Sidmouth papers, 152 M, C1801, OZ 103, Dundas to Addington, 5 September 1801.
138. Pitt papers, PRO 30/8/138, ff. 42-3, Galloway to [Pitt], 30 June 1793. For the local elections and the peerage election of 1790, see later in this chapter.
139. SRO, Melville, GD51/1/197/18, Galloway to Dundas, 21 June 1796.
140. SRO, Melville, GD51/1/22, Galloway to [Dundas], 16 August 1793; ibid, GD51/1/26, Lady Stafford to Dundas, 9 August 1794; ibid, GD51/1/31, Galloway to Dundas, 2 May 1795. He gained his peerage in 1796. He had solicited office in 1788, citing the claims on him of fourteen children as an inducement: Pitt papers, PRO 30/8/138, ff. 34-5, Galloway to [Pitt], 21 July 1788.
141. For the origins of the South Western struggle, see NLS, Melville, Ms 7, ff. 5-6, Patrick Heron to Robert Dundas, Lord Advocate, 20 January 1795; ibid, 13-14, same to same, 15 January 1795; SRO, Melville, GD51/1/198/14/11, Dundas to [Patrick Heron MP], 8 October 1800 (copy).
142. SRA, Campbell of Succoth, TD219/6/80, Dundas to Ilay Campbell, 26 December [1783]; Namier and Brooke, HP, I, p. 472.

143. Namier and Brooke, HP, III, p. 159.
144. McCahill, op.cit, pp. 190-1.
145. Montgomerie was appointed to be Inspector of Military Roads in Scotland. For the 1789 by-election, see Namier and Brooke, HP, I, p. 473. For the 1790 election, see NLS, Melville, Ms 4, ff. 93-4, Col. H. Montgomerie to [Dundas], 23 February 1790 and SRO, Melville, GD51/1/198/7/1, John Bushby to [Dundas], 5 July 1790.
146. SRO, Melville, GD51/1/198/3/2, Colonel Hew Montgomerie to [Dundas], 15 November 1790. The quote is from SRO, Melville, GD51/1/198/3/11, William McDowall to Dundas, 25 December 1795; see also NLS, Melville, Ms. 1053, ff. 61-2, Eglinton to Dundas, 9 November 1795. For Dundas and the 12th Earl see SRO, Melville, GD51/1/198/3/20, Melville to [Cassillis], 8 February 1803 (copy) and Thorne, HP, II, pp. 515-8.
147. SRO, Professor Hannay's papers, GD214/769; NUL, Portland, PwF 3595, Henry Erskine to Portland, 25 August 1786. Glencairn took a concern in attempts to reform the Scottish customs fees, for which see NLS, Melville, Ms. 14. We have noted Dundas's attempts to convert him to government.
148. Fergusson, Henry Erskine, p. 293.
149. NUL, Portland, PwF 3205, Lady I. Glencairn to Portland, 23 September 1795, for Glencairn's financial status. For his quest for promotion, see Pitt papers PRO 30/8/138, ff. 316-7, Glencairn to [], 28 December 1794; ibid, ff. 318-9, same to [], 30 March 1795; NLS, Melville, Ms 1042, ff. 170-2, Bishop of Durham to Glencairn, 9 May 1792.
150. McCahill, op.cit, pp. 190-1; Pitt papers, PRO 30/8/126, ff. 68-9, Thomas Coutts to Pitt, 14 February 1788. The family prepared votes with a view to opposing the Dundas-Eglinton candidate for Ayrshire in 1790: see NLS, Melville, Ms 4, ff. 93-4, Colonel Hew Montgomerie to [Dundas], 23 February 1790.
151. SRO, Melville, GD51/1/198/3/3, Richard Campbell to Dundas, 4 January 1793; SRO, Melville, GD51/1/23, Lord Kennedy to Dundas, 3 November 1793; Dacres Adams papers, PRO 30/58/1/73(1-2), Robert Dundas, Lord Advocate to Henry Dundas, n.d., enclosing Richard Campbell to Robert Dundas, 5 March 1793.
152. He made the mistake, apparently well-intentioned, of giving support to Colonel Fullerton in Ayrshire in 1796: see SRO, Melville GD51/1/198/3/5, Cassillis to Dundas, 16 November 1795. For the peerage election, see SRO, Melville, GD51/1/197/6, 16, letters of Cassillis to Dundas, 25 March 1795 and 23 April 1796.

153. For the Ayr meeting, see SRO, Melville, GD51/1/198/3/16-18, letters of Robert Dundas, Lord Advocate, and Lord Cassillis, 25-26 June 1797, and n.d.; also SRO, Grand Lodge papers, GD1/1009/21, Lord Loughborough to Robert Dundas, Lord Advocate, 29 June 1797. Cassillis was aware that the meeting had put him under something of a cloud and that there was a whispering campaign against him: SRO, Melville, GD51/6/1329, Cassillis to [Dundas], 27 February 1799.
154. Namier and Brooke, HP, III, p. 501.
155. For Bute's early career, see Brady, op.cit, pp. 76-7.
156. NUL, Portland, PwF 8619, Bute to Portland, 20 January 1793; Pitt papers, PRO 30/8/118, ff. 204-5, same to Pitt, 25 February 1794.
157. Pitt papers, PRO 30/8/157, ff. 251-4, Dundas to Pitt, 28 January [1784]. Queensberry's power ranged over Dumfriesshire, the Dumfries Burghs and the Linlithgow Burghs.
158. SRA, Campbell of Succoth, TD219/6/90A, Dundas to Ilay Campbell, 23 February 1784; Namier and Brooke, HP, I, p. 501.
159. See chapter five for this incident.
160. For Queensberry's conduct at the time of the Regency Crisis and at the general election, see later in this chapter.
161. Fergusson, Henry Erskine, p. 319, evidences Erskine's poor opinion of the Duke at about this time.
162. It is stated by Furber, Dundas, p. 247 and repeated by Thorne, HP, I, p. 81. It is an assertion that hinges on a misinterpretation of a letter by Robert Dundas, Lord Advocate to Henry Dundas, 31 December 1790, in NLS, Melville, Ms 6, ff. 1-3. The letter is discussing the expected inheritance of the Queensberry estates by Buccleuch upon the old Duke's death. It is not discussing any abandonment of politics by Queensberry.
163. SRO, Melville, GD51/1/198/7/6, 7, letters of John Bushby to Dundas, 26 September, 31 October 1795.
164. SRO, Melville, GD51/1/198/7/10, David Staig to Dundas, 6 May 1796; SRO, Hope of Luffness, GD364/1/1135/2, Dundas to Colonel Alexander Hope MP, 23 December 1801.
165. NLS, Melville, Ms 1, ff. 107-8, Melville to [Earl of Seaforth], 6 January 1807 (copy).
166. There is a discussion of Dundas's affinity with the aims and beliefs of the old ruling families of Scotland in the articles by Dwyer and Murdoch cited above.

167. I feel that Professor Furber's biography of Dundas is particularly bad on this point, writing of whole areas of Scotland falling into the 'Dundas Interest', where in fact the local magnate was merely a government supporter in association with Dundas, sometimes only for the time being.
168. Atholl took a keen interest in the salt, distillery and banking industries in Scotland and was often represented on public committees concerning them, or could be found as a lobbyist. Montrose took a keen interest in founding a Scottish militia and his career took him to high office and a position of influence in Pitt's following. The loss of his papers in an 1854 fire at Buchanan prevents a fuller assessment of his career and importance.
169. The description is from Ferguson, Scotland, 1689 to the Present, p. 236. Dr. Murdoch has commented on the first signs of the retreat by the great nobility from the pursuit of political careers: People Above, p. 125.
170. SRO, Melville, GD51/7/4/26, Argyll to [Dundas], 5 September 1793.
171. Pitt papers, PRO 30/8/138, ff. 42-3, Galloway to [Pitt], 30 June 1793.
172. HMC Fortescue, I, pp. 534-5, Dundas to W.W. Grenville, 18 October 1789.
173. The Hamilton family swung to the Foxite wing of the opposition, the Sutherlands and Argylls to the Grenvillites. Dundas had long been aware of the enormous strength drawn by the Argylls from the loyalty of their kinsfolk and he recognised a similar situation with the Hamilton family's influence in Lanarkshire. See SRO, Melville, GD51/1/196/9, [Henry Dundas, Lord Advocate] to [Argyll], [1775], (copy); NLS, Melville, Ms 1, ff. 232-3, Melville to Lord Douglas, 30 January 1811 (copy), printed, Furber, Dundas, pp. 284-6.
174. For discussion of the Whig party and its organization see D.E. Ginter, op.cit, passim; B.W. Hill, op.cit, pp. 156-7; F. O'Gorman, The Whig Party and the French Revolution (London, 1967), pp. 12-21.
175. For the loss of Grant, and Whig managerial failings, see Ginter, op.cit, pp. 5-6.
176. Dundas had worked for Gordon in election cases in the 1770s: Brady, op.cit, p. 54.
177. NLS, Melville, Ms 5, ff. 1-6, Gordon to Henry Dundas, 6 December 1783. Fordyce's miserable career as a public servant is discussed in chapter four.

178. E.g: NLS, Ms 5, ff. 14-15, Gordon to Dundas, 24 March 1786: "You know that I am no politician and don't much like the subject and therefore leave it with perfect confidence to you...".
179. The description is that of Charles Gordon to Dundas, 17 February 1787: SRO, Melville, GD51/1/198/1/3.
180. The correspondence between Gordon and Dundas for the years after 1783 is mostly to be found in NLS, Melville, Ms 5. Gordon's principal adviser was Charles Gordon of Braid, WS, and examples of his electoral planning can be seen there and in SRO, Melville, GD51/1/198/1.
181. See A. and H. Tayler, Lord Fife and His Factor (London, 1925), pp. 185-6, for their antagonism. It had not always been thus and it was partly due to the particular dislike of Jane, Duchess of Gordon for Fife. Fife himself has an amusing account of a barbed conversation with the Duchess, together with a reflection on his earlier support for the Gordons, in a letter to Dundas, 30 July 1795, in the Melville papers at Duke University.
182. For the Moray Association, see Namier and Brooke, HP, I, p. 480 and Cannon, Parliamentary Reform, p. 112.
183. For entails and the problems that they presented to manufacturing fictitious votes, see SRO, Melville, GD51/1/196/9, [Henry Dundas, Lord Advocate] to [Duke of Argyll] [1775] (copy). For the particular problems of Fife's entail, see SRO, Melville GD51/1/198/1/2, Charles Gordon to Dundas, 26 January 1786.
184. Namier and Brooke, HP, II, p. 350, shows Duff's uncertain allegiances. Dundas may have seen him as an opponent to Pitt in September 1788: Pitt papers, PRO 30/8/157, ff. 63-6, Dundas to [Pitt], 29 September [1788].
185. Fife certainly suspected Dundas of complicity with the Moray Association in the petition; Taylers, Fife and His Factor, p. 163.
186. SRO, Melville, GD51/1/198/1/2, Charles Gordon to Dundas, 26 January 1786; ibid, GD51/1/198/4/5, [General] James Grant [of Ballindalloch] to same, 14 June 1795.
187. Taylers, Fife and His Factor, pp. 176-8, describes the contest and Fife's request for government support for Skene. Dundas seems to have attempted to get Fife's support for Ferguson: see SRO, Melville, GD51/1/198/1/1, Ferguson to Fife, 29 December 1785 (copy). Fife had made Skene give assurances of his support to Dundas well before the election: A. and H. Tayler, The Domestic Papers of the Rose Family (Aberdeen, 1926), p. 32. For some indication of the patronage that Dundas tried to put to work on Ferguson's behalf, see NLS, Melville, Ms 4, ff. 49-50, letters of Robert Dundas, Solicitor General to Henry Dundas, n.d. and 2 February 1786.

188. NLS, Melville, Ms 5, ff. 14-15, Gordon to Dundas, 24 March 1786.
189. Ibid, ff. 16-17, "Fair Statement of Northern Politicks", March 1786.
190. Furber, Dundas, p. 212, gives some idea of Fife's proposals, as Dundas later summarised them.
191. SRO, Melville, GD51/1/198/1/2, Charles Gordon to Dundas, 26 January 1786. This letter gives a picture of Dundas's initial relationship with the Brodies and the Moray Association.
192. SRO, Melville, GD51/1/198/1/3, Charles Gordon to Dundas, 17 February 1787. At this time, Fife and Gordon were as far apart as ever: Taylers, Fife and His Factor, pp. 185, 187.
193. HMC Laing, II, pp. 525-6, letters of Fife to William Rose of Montcoffer, 5 April and 9 May 1787.
194. Sir William Fraser, Chiefs of Grant (3 vols, Edinburgh, 1883), II, pp. 496-7, Henry Mackenzie to Sir James Grant, 28 June 1787.
195. SRO, Melville, GD51/1/198/1/4, Charles Gordon to Dundas, 25 August 1787.
196. HMC Fortescue, III, p. 421, Dundas to W.W. Grenville, 2 September 1787.
197. This letter was in the possession of Professor Furber, who summarised and quoted from it at length: Furber, Dundas, pp. 211-13.
198. For Skene's parliamentary career, see Namier and Brooke, HP, III, pp. 441-2. He was in opposition as early as 1787: Taylers, Rose Family, p. 32. See also Pitt papers, PRO, 30/8/180, ff. 295-6, Alexander Stewart, MP to Pitt, 25 January 1788, for a comment on Skene's politics.
199. NLS, Melville, Ms 5, ff. 41-2, Gordon to Dundas, 21 September 1787. The version I have given seems to me to be the correct interpretation of this correspondence. Gordon was not, I think, acquiescing in Dundas's wish for him to ally with Fife as Furber asserts (Dundas, pp. 213-4) but instead accepted Dundas's standing aside. Dundas's letter is only partially printed by Furber and is that much harder to interpret, particularly as respects Lord Fife's position in the negotiations. Nonetheless, it is clearly a minute of disagreements between Gordon and Dundas and not a frightened 'knuckling-under' to threats. This interpretation makes sense in the light of the evidence in the Pitt papers cited below.

200. For this struggle, see Ferguson, Electoral System, pp. 285-6.
201. Pitt papers, PRO 30/8/157, ff. 53-8, Dundas to Thomas Steele, 2 September 1788; ibid, ff. 59-60, Fife to Dundas, 22 August 1788. In discussing this arrangement, Dundas incorrectly describes Fife as sitting for Banffshire and his son for Morayshire. While it is nowhere stated, it is possible that Sir James was intended to continue in parliament, possibly for Morayshire, while his father would retire to accept a British peerage.
202. Pitt papers, PRO 30/8/157, ff. 63-6, Dundas to Pitt, 29 September [1788]; ibid, ff. 67-8, Findlater to Dundas, 24 September 1788. Findlater finally received a promise of a British peerage in 1790: Pitt papers, PRO 30/8/102, ff. 184-5, Findlater to Pitt, 28 June 1790 (copy).
203. Ginter, op.cit, p. xxvii.
204. Taylers, Fife and His Factor, p. 195; SRO, Melville papers, GD51/1/198/4/1, Fife to Dundas, 24 September 1788.
205. Fraser, Chiefs of Grant, II, pp. 505-6, Henry Mackenzie to Sir James Grant, 25 May 1789. MacLeod also obtained Gordon's support in Inverness-shire: NLS, Melville, Ms 1, ff. 21-2, MacLeod to Dundas, 17 March 1790.
206. For an account of Dundas's socialising in the North East in September 1791 with the various factions, see Taylers, Rose Papers, pp. 33-4.
207. For the reduction of votes in various counties after 1790, see Ferguson, Electoral System, pp. 286-7 and Thorne, HP, I, pp. 72-3.
208. For Findlater's personal life and the scandal surrounding it, see SRO, Court of Session, CS 235/F20/1, Fischer v. Seafield. Pitt papers, PRO 30/8/102, ff. 186-9, Pitt to Dundas, [] November 1790 (copy), discusses the matter obliquely. For a letter from the exiled Findlater, alluding to his activities, see NLS, Melville, Ms 1056, ff. 161-2, Findlater to Alexander Brodie MP, 8 April 1799.
209. E. Maxtone Graham, The Beautiful Mrs Graham and The Cathcart Circle (London, 1927), p. 191.
210. Namier and Brooke, HP, II, p. 198.
211. These elections were: 1784, Edinburgh and Wigtownshire; 1786, East Lothian, Aberdeenshire, Kirkcudbrightshire and Selkirkshire; 1787, Sutherland; 1788, Clackmannanshire and Kincardineshire; 1789, Ayrshire and the Stirling Burghs. They are detailed in Namier and Brooke, HP, I, passim.

212. Furber, Dundas, pp. 219-20, cites original material relating to this by -election, then in the author's possession. Hamilton was married to Dundas's niece, Janet.
213. Namier and Brooke, HP, III, p. 378.
214. Ibid, I, p. 494.
215. Furber, Dundas, pp. 274-6, prints a letter of Dundas to Pitt, 5 February 1802, which gives a history of the county's politics. The letter was then in Furber's possession.
216. NLS, Melville, Ms 1053, ff. 5-6, General James Robertson to Dundas, 29 May 1787; SRO, Melville, GD51/1/198/10/9, Dundas to General Robertson, 2 June 1787 (copy).
217. SRO, Melville, GD51/1/198/10/11, Dundas to Sir John Anstruther, 11 April 1789 (copy). In addition, Dundas endeavoured to reward other supporters of Colonel Wemyss, including Major General Philip Skene: see HMC Rutland, III, p. 429, Dundas to Duke of Rutland, 6 October 1787; NLS, Melville, Ms 4, ff. 79-80, Skene to Dundas, 4 May 1788.
218. NLS, Melville, Ms 1053, ff. 5-6, General James Robertson to Dundas, 29 May 1787.
219. Furber, Dundas, p. 276.
220. As we have seen, it was normal for a Scottish MP loyal to government to nominate to government offices within his constituency. Wemyss appears to have allowed Dundas much influence in his appointments: see SRO, Melville, GD51/5/364/3/7, 15(1), letters of Wemyss to [?Dundas], 29 April and 4 August 1791.
221. SRA, Campbell of Succoth, TD219/6/187, William McDowall to Ilay Campbell, Lord Advocate, 27 November 1789, shows that McDowall was the candidate intended for the general election.
222. Pitt papers, PRO 30/8/141, ff. 117-8, Duke of Hamilton to Pitt, 12 February 1790; SRO, McDowall of Garthland, GD237/139/2(2), Dundas to William McDowall, 23 February 1790; Ginter, op.cit, pp. 154-5. At the time, Argyll was with his ailing wife in Italy: SRA, Campbell of Succoth, TD219/6/190, Argyll to Ilay Campbell, 15 December 1789. The Duke would continue to have problems with the burgh: see SRO, Home of Wedderburn, GD267/1/15/10, George Home to Patrick Home MP, 6 March 1790.
223. The course of the crisis is charted by John Derry, The Regency Crisis And The Whigs (Cambridge, 1963) and Ehrman, op.cit, I, chapter 20.

224. SRO, Home of Wedderburn, GD267/16/6/7, George Home to Patrick Home MP, 13 November 1788. On 13 November, George Ramsay of Barnton, the Edinburgh banker, noted in his diary that it was privately known in Edinburgh that the King was dead: SRO, Steel-Maitland, GD193/1/1, Diary of George Ramsay.
225. SRA, Campbell of Succoth, TD219/6/480, Charles Steele, Treasury to Ilay Campbell, 28 November [1788]. Dundas was in no immediate hurry to rush South, however: SRO, Home of Wedderburn, GD267/16/6/13, George Home to Patrick Home MP, 22 November 1788.
226. Ehrman, op.cit, I, p. 662.
227. For Queensberry, see Derry, op.cit, p. 189.
228. Namier and Brooke, HP, III, p. 24.
229. Ibid, III, p. 159.
230. Ibid, III, pp. 479-80.
231. Taylers, Fife and His Factor, p. 195.
232. Lord Frederick Campbell, Sir Adam Fergusson, Lord Fife, Burnet Abercromby, Lord William Gordon, Archibald Douglas, Robert A. Allardice, Alexander Brodie, David Murray, James Murray, Mark Pringle, James Grant, Andrew MacDouall, Sir James Johnstone, Sir Charles Preston, Ilay Campbell, Hector Munro, John Moore, Sir Charles Ross, Henry Dundas.
233. George Skene, Sir Robert Laurie, Alexander Stewart, Thomas Dundas, Francis H. Mackenzie, Sir Thomas Dundas, Sir David Carnegie, William Adam, William Fullerton, George Dempster, William Dalrymple.
234. McCahill, op.cit, p. 191: Breadalbane, Cassillis, Eglinton, Kinnaird, Lothian, Selkirk and Stormont opposed Pitt. Aberdeen was not to be seen.
235. The most enduring and useful result of this preparation for an election is of course Laurence Hill's Political State of Scotland, later printed. For Hill's activities, see Ginter, op.cit, pp. 19-21. Hill was detected going about his work by George Home: SRO, Home of Wedderburn, GD267/1/14/7, George Home to Patrick Home MP, 18 March 1789. Home also detected Whig plans to field a candidate against Patrick Home in Berwickshire: ibid, GD267/3/15/2, same to same, 10 January 1788 [rectius 1789]. "What are called the Independant [sic] Friends here, have more chearful [sic] countenances than usual from which it is supposed they have reason given them to expect a change of administration,...": ibid, GD267/16/6/17, same to same, 29 November 1788.

236. SRO, Home of Wedderburn, GD267/1/4/62, George Home to Patrick Home MP, 12 December 1788.
237. Charles Innes W.S. was promised a Clerkship of Session: BL, Pelham, Add Mss 33,109 ff. 255-6, Memorandum by Charles Innes to Pelham, 12 June 1802. Erskine stated that on his coming to office he would try to extend the Royal Bank's capital: SRO, Steel-Maitland, GD193/1/1, Ramsay's diary, entry for 13 November 1788. Ramsay was not enthusiastic about this offer.
238. SRO, Hope of Luffness, GD364/1/1153/4-7, Melville to Colonel Alexander Hope MP, 18 February 1804.
239. Ehrman, op.cit, I, pp.657, 661, discusses Pitt's popularity and the disgust at the Prince of Wales's general conduct during the crisis.
240. SRO, Home of Wedderburn, GD267/16/6/9, George Home to Patrick Home MP, 16 November 1788
241. Ginter, op.cit, pp. 47-8; Derry, op.cit, p. 129.
242. Quoted in R.M. Sunter, Patronage and Politics in Scotland, 1707-1832, (Edinburgh, 1986), p. 93.
243. This expectation of imminent dismissal is evident in SRA, Campbell of Succoth, TD219/6/139, Thomas Steele to Ilay Campbell, 31 January 1789; NLS, Fettercairn papers, Box 37, Henry Dundas to Sir William Forbes, 28 November 1788.
244. Sir Robert Laurie lost a place at the Window Tax Office and Alexander Stewart's hopes for military promotion were blighted. Queensberry lost his post as a Lord of the Bedchamber. His explanation of his conduct to the King is in A. Aspinall (ed.), The Later Correspondence of George III (Cambridge, 1966), I, pp. 422-4. There is a mss copy in SRO, Buccleuch, GD224/519/11/3.
245. The opposition's desertion of some of its principles led Lord Hailes to remark that "I had resolved with myself to support administration wherever I had anything to say, Because they were Whigs indeed".: EUL, Laing Mss, Div. II, 500, Ld. Hailes to Robert Dundas, 7 October 1789.
246. It is possible, for instance, that it is at this period that opposition lost the support of Lords Kellie, Cathcart and Elphinstone.
247. SRO, Home of Wedderburn, GD267/1/14/10, George Home to Patrick Home MP, 27 March 1789.
248. There is an account of the election in Fergusson, Henry Erskine, pp. 312-8.

249. SRO, Melville, GD51/6/831/2, Rev. George Barry to John Spottiswoode, 20 June 1789.
250. SRO, Melville, GD51/6/823, Rev. John Bradfute to Dundas, 10 January 1789. The author went on immediately to write of his concern at the prospect of a change of administration.
251. NUL, Portland, PwF 3272, Professor Andrew Dalzell to Portland, 11 April 1795. Walker was promised an appointment to the first vacant chaplaincy upon Portland's coming to office.
252. SAUL, Melville papers, Ms 4756, Professor George Hill to Dundas, 2 June 1789, has an indignant account of the events at the Assembly.
253. SAUL, Melville papers, Ms 4758, Professor George Hill to Dundas, 2 June 1790.
254. The details of the final arrangement were set out in two letters by Dundas to Ilay Campbell, Lord Advocate, on 29 September and 4 October 1789: SRA, Campbell of Succoth, TD219/6/164, 167.
255. HMC Fortescue, I, pp. 534-5, Dundas to W.W. Grenville, 18 October 1789.
256. SRO, Home of Wedderburn, GD267/1/15/12, George Home to Patrick Home MP, 11 March 1790.
267. SRO, Home of Wedderburn, GD267/1/15/26, George Home to Patrick Home MP, 26 April 1790, in which Home outlines his apprehensions about the effect of the Chancellor's decision about allowing interrogatories to be put to individuals claiming to be enrolled at freeholders' meetings.
258. The contests were for Cromartyshire, Dumfriesshire, West Lothian, Orkney, Perthshire, Renfrewshire, Roxburghshire, Stirlingshire, Sutherland, Aberdeen Burghs, Anstruther Easter Burghs, Dumfries Burghs, Dysart Burghs, Haddington Burghs, Perth Burghs and Wigtown Burghs.
259. For the contest, see Thorne, HP, II, pp. 576-7. SRO, Home of Wedderburn, GD267/3/15/7, George Home to Patrick Home, 9 February 1788, outlines the 'friendly' nature of the contest for the county.
260. SRO, Melville Castle, GD51/1/198/7/1, John Bushby to [Dundas], 5 July 1790. Opposition had been expected in Ayrshire: NLS, Melville, Ms 4, ff. 93-4, Colonel H. Montgomerie to [Dundas], 23 February 1790. Wigtownshire's representation was settled in a pact between the Galloway and MacDouall of Logan families, overseen by Henry Dundas. A copy of this can be seen at SRO, Melville, GD51/1/198/28/1. It was post-dated 27 December 1789, for which see Thorne, HP, II, pp. 586-7.

261. Thorne, HP, II, pp. 622-3.
262. For the later claims to reward by government supporters for their efforts in this contest, see SRO, Melville, GD51/6/887, David Balfour to Dundas, 25 April 1791 and ibid, GD51/7/2/23, Robert Baikie to Robert Dundas, Lord Advocate, 14 May 1791.
263. For Dundas's preparations against Cunynghame, see NLS, Melville, Ms 1, ff. 13-14, Sir Alexander Livingstone to [Dundas], 27 September 1788; EUL, Laing Mss, Div. II, 500 [Lt Colonel] A[lexander] Dundas to [?Robert Dundas], 4 October 1789; SRO, Melville, GD51/6/923, Alexander Johnston to [?Henry Dundas], 23 January 1792. For the election, see Thorne, HP, II, pp. 557-8.
264. Pitt papers, PRO 30/8/107, ff. 231-2, Robert Barclay MP, to Alexander Allardyce, 9 October 1789; SRO, Melville, GD51/1/198/1/5, same to [Dundas], 12 July 1790.
265. SRA, Campbell of Succoth, TD219/6/148, Samuel Mitchelson to Ilay Campbell, Lord Advocate, 21 April 1789; NLS, Melville, Ms 1, ff. 19-20, John Anderson to [?], 15 July 1789; NLS, Melville, Ms 642, ff. 11-12, Earl of Fife to Dundas, 17 July 1789; NLS, Melville, Ms 641, ff. 128-9, Sir J. Sinclair to [Countess of Sutherland], 27 October 1789; SRO, Melville, GD51/1/198/6/2, Alexander Shaw to Dundas, 18 April 1790.
266. SRO, Melville, GD51/1/198/6/5, William Tait to Dundas, 8 July 1789; ibid, GD51/1/198/6/9, Sir J. Sinclair to Dundas, 12 April [1790].
267. SRO, Melville, GD51/1/198/6/1, Sir J. Sinclair to Dundas [n.d.: ante 1 July 1790], recounts an unsuccessful meeting between Sinclair and the Duchess of Gordon, apparently held at Dundas's instigation.
268. For the later agreement about Wick burgh, see SRO, Melville, GD51/1/198/6/7, Sir J. Sinclair to Dundas, 2 March 1791.
269. This attack on Sir Thomas Dundas had been long planned: Pitt papers, PRO 30/8/157, ff. 43-8, Dundas to [Pitt], 11 August [1788].
270. SRO, McDowall of Garthland, GD237/139/2(7), Dundas to William McDowall MP, 2 July 1790: "We are pressing Sir Thomas most confoundedly in Stirlingshire, and he is in great danger".
271. There is an account of the election in Sunter, Patronage and Politics, pp. 105-110.
272. Thorne, HP, II, pp. 570-1. Dundas and McDowall of Garthland were in close communication concerning this contest: see SRO, McDowall of Garthland, GD237/139/bundle 2.

273. Pitt papers, PRO 30/8/154, ff. 168-9, W. McDowall MP to William Windham, 24 January 1797 (copy).
274. NLS, Melville, Ms 4, ff. 154-5, Colonel William Wemyss to Dundas, 10 May 1790: "As the greatest weight of opposition is opposed to me in this county, government, if they wish to keep it - should throw all they can into my scale". SRO, Melville, GD51/1/198/10/11, Dundas to Sir John Anstruther, 11 April 1789 (copy). Thorne, HP, II, pp. 537-8.
275. Thorne, HP, II, pp. 596-7. For a note on the course of the election, see SRO, Melville, GD51/6/864, Andrew Hamilton to [?], 17 June 1790. Dundas had started to investigate the possibility of winning these burghs for the government cause at an early stage. See EUL, Manuscript DK.7.63, no. 1, Earl of Balcarres to [Dundas], 29 August 1788 and Ann Arbor, Melville papers, Hon. Robert Lindsay to Dundas, 3 October 1789.
276. Thorne, HP, II, pp. 592-3. For the breakdown of an earlier accommodation concerning the burghs between Dundas and the Anstruthers, see SRO, Melville, GD51/1/198/10/11, Dundas to Sir John Anstruther, 11 April 1789 (copy). For Kellie's involvement, see GD51/1/198/10/13-14, letter of Kellie to [Dundas], 10 August 1790, and [Erskine of Cambo] to [Kellie], [n.d, but ante 9 August 1790].
277. Thorne, HP, II, p. 530.
278. For Laurie, see Namier and Brooke, HP, III, pp. 23-4. Dundas had no real guarantee that his opponent, John Johnstone, would have supported government in any case: Ann Arbor, Melville Mss, Sir William Pulteney Johnstone to Dundas, 27 June 1790.
279. For Sir James Johnstone, see Namier and Brooke, HP, II, pp. 685-6. Miller's loyalties would be ambiguous in parliament, but Dundas's supporters in the burghs were in no doubt about his principles: SRO, Melville, GD51/5/364/3/14(2), Wellwood Maxwell, Dumfries to [? Sir James Johnstone], 11 May 1791. See also the entry for Miller in Adam, Political State, p. 103. For the burgh contest, see SRO, Melville, GD51/1/198/7/1, John Bushby to [Dundas], 5 July 1790.
280. For details of the agreement to divide the representation, see SRO, Melville, GD51/1/198/23/1, Alexander Brodie to Dundas, 14 July 1790. For Davidson's loyalties, see NLS, Melville, Ms 1053, ff. 27-8, Sir William Pulteney to Davidson, 22 September 1793.
281. This is strongly implied in a recent overview of the election result for the House of Commons as a whole: Hill, op.cit, pp. 163-4.
282. Ginter, op.cit, pp. 200-4, Portland to William Adam, 11 August 1790.

283. See Thorne, HP, I, p. 80. Sir John Sinclair was regarded as being anti-ministerial in 1791: SRO, Melville, GD51/6/900/2, Thomas Dunbar to Dundas, 16 July 1791. Grieve did not support government until 1793; ibid, GD51/6/945/1, Sir James Steuart Denham MP to Dundas, 17 July 1793.
284. Pitt papers, PRO 30/8/146, ff. 100-1, Hopetoun to Pitt, 3 April 1790.
285. SRO, Buccleuch, GD224/579/1/2, Balcarres to Buccleuch, 4 June 1789; GD224/579/1/4, Buccleuch to Balcarres, 13 July 1789 (draft).
286. SRO, Buccleuch, GD224/579/1/6, Moray, Balcarres and Elphinstone to Buccleuch, 23 March 1790.
287. The Duke of Buccleuch described his being requested, as a well-wisher to government, to organise the government voting. The government's supporters "were alarmed, and justly so, at an association that pointed out a certain exclusion of most of them from parliament because they did not chuse [sic] to fetter themselves by the regulation of a number of peers whose objects were very different in forming that association. The fair and natural influence of Government certainly would lean to their side, rather than to that party your Lordship has thought proper to unite yourself with.": SRO, Buccleuch, GD224/30/11/3, Buccleuch to Hopetoun, 6 August 1790 (copy).
288. EUL, Laing Mss, Div. II, 461, Cathcart to Lord Napier, 21 April 1790.
289. HMC Fortescue, I, p. 570, Dundas to W.W. Grenville, 3 April 1790. For the lobbying generally, see the several letters exchanged between Dundas and Grenville, printed in ibid.
290. SRO, Buccleuch, GD224/579/1/9, Tweeddale to Buccleuch, 18 June 1790. Tweeddale, encouraged by a letter of Buccleuch's, felt a firm statement of independent principles would secure the Duke's vote. It did not. Of those Independents who nonetheless supported government, Balcarres wrote, apropos Crawford's vote, "I have the fullest confidence he does not vote for those peers who are obnoxious to the 12 [government candidates] by standing on both grounds. And that his other four votes will be given to opposition Lords.": EUL, manuscript DK.7.63, no. 3, Balcarres to Dundas, 15 July 1790.
291. HMC Fortescue, I, pp. 590-1: W.W. Grenville to Dundas, 30 June 1790 (copy), suggests this strongly.
292. Pitt papers, PRO 30/8/181, ff. 69-70, Strathmore to Pitt, 24 July 1790; ibid, PRO 30/8/146, ff. 100-1, Hopetoun to Pitt, 3 April 1790. SRO, Buccleuch, GD224/579/1/16, Lindores to Buccleuch, 20 July 1790, clearly implies that Buccleuch had solicited votes for Hopetoun at one point.

293. See the discussion above of Dundas's letter to Buccleuch of 22 November 1787.
294. The government candidates can be identified from EUL, Manuscript, DK.7.63 no. 3, Balcarres to [Dundas], 15 July 1790 and SRO, Home of Wedderburn, GD267/1/5/6, George Home to Patrick Home MP, 25 July 1790. They were Balcarres, Cathcart, Elgin, Eglinton, Elphinstone, Galloway, Glasgow, Kellie, Moray, Napier, Somerville, Stair and Torphichen. As we will see, Galloway's position was ambiguous. There are allusions to Buccleuch's part in framing the list in SRO, Buccleuch, GD224/579/1/15, Hyndford to Buccleuch, 21 July 1790 and in HMC Fortescue, I, p. 592, W.W. Grenville to Dundas, 15 July 1790 (copy).
295. Balcarres alluded to attempts to return "the whole 16": EUL, Manuscript DK.7.63 no. 3, Balcarres to [Dundas], 15 July 1790.
296. Despite his government leanings there were doubts about Galloway during the campaign. See HMC Fortescue, I, pp. 592-3, copy letters of W.W. Grenville to Dundas, 15 and 16 July 1790. On 14 July, he was described as going with the Independents: Furber, Dundas, pp. 233-4, citing Home Office papers of 14 July 1789 [rectius 1790]. Shortly thereafter his willingness to support the government list was finally clarified: EUL, Laing Mss, Div. II, 461, Lord Torphichen to Lord Napier, 17 July 1790; also SRO, Buccleuch, GD224/579/1/15, Lord Hyndford to Buccleuch, 21 July 1790.
297. The voting at the election was published in the Scots Magazine for 1790, pp. 360-1.
298. Government: Balcarres, Cathcart, Elgin, Eglinton, Elphinstone, Glasgow, Kellie, Moray and Torphichen. Opposition: Breadalbane, Dumfries, Lauderdale and Stormont. It should be said that opposition claimed Eglinton as one of their own: McCahill, op.cit, p. 185. I do not agree with the total that McCahill gives for opposition supporters returned, which he reckons as six if Eglinton is included.
299. The six were Galloway, Kinnaird, Napier, Selkirk, Somerville and Stair.
300. SRO, Home of Wedderburn, GD267/1/5/6, George Home to Patrick Home MP, 25 July 1790, gives an account of the election. George Home was one of the clerks and gives further opinions on the election in a letter of 4 August: ibid, GD267/1/15/38.
301. SRO, Melville, GD51/1/197/2, Errol to Lord [], [n.d, but July 1790]; HMC Fortescue, I, p. 597, Dundas to W.W. Grenville, 1 August 1790; NLS, Melville, Ms 5, ff. 43-4, Gordon to Dundas, 23 July 1790.

302. SRO, Buccleuch, GD224/30/11/1, Hopetoun to Dundas, 29 July 1790 (copy). See also, ibid, GD224/30/11/2, Hopetoun to Buccleuch, 29 July 1790.
303. The government party's organisation and activities can be seen in Lord Napier's papers in EUL, Laing Mss, Div. II, 461 and also in SRO, Buccleuch, GD224/579/1. A copy petition to the House of Lords by Tweeddale, Buchan and others of the defeated candidates, many of them Independents, can be seen in Napier's papers.
304. HMC Fortescue, I, p. 596, W.W. Grenville to Dundas, 29 July 1790 (copy).
305. NLS, Melville, Ms 1052, ff. 18-19, James Edgar to Dundas, 16 March 1791; see also Hill, op.cit, p. 164.
306. J. Ehrman, The Younger Pitt, [Volume II] The Reluctant Transition (London, 1983), chapter one; F. O'Gorman, The Whig Party and the French Revolution (London, 1967), pp. 59-62; Hill, op.cit, p. 165.
307. SRO, Home of Wedderburn, GD267/31/75, George Home to Patrick Home MP, 4 December 1791.
308. For this section generally, see G.M. Ditchfield, 'The Scottish Campaign Against The Test Act 1790-1791', Historical Journal, 23 (1980), pp. 37-61.
309. Ibid, p. 44.
310. Dundas for one accepted that the objections of the Church of England were paramount. His views are reported in Thomas Somerville, My Own Life and Times, 1741-1814 (Edinburgh, 1861), pp. 233-4.
311. Ditchfield, op.cit, pp. 40-1, 44-5. Some Moderates, most notably Somerville himself, supported repeal.
312. SRA, Campbell of Succoth, TD219/6/207, Principal George Hill to Ilay Campbell, Lord President, 3 November 1790.
313. See EUL, Laing Mss, Div. II, 500, Principal George Hill to Robert Dundas, Lord Advocate, 14 March 1791, and attached memorandum.
314. Ditchfield, op.cit, pp. 56-7.
315. Thorne, HP, IV, p. 506. For the termination of his connection with government, see SRO, Melville, GD51/1/198/29/4, Norman Macleod to Dundas, 7 May 1791 and Dundas to Macleod, 7 May 1791 (copy); also Pitt papers, PRO 30/8/154, ff. 272-3, Macleod to Pitt, 7 May 1791 and ibid, PRO 30/8/195, f. 96, Pitt to Macleod, 11 May 1791 (copy).

316. Furber, Dundas, pp. 239-40. See also SRO, Melville, GD51/5/364/6/4, George Chalmers to Dundas, 20 September 1794: "Whether the Representative of Invernessshire has any valid right of recommendation at present, will not, allow me to presume, admit of much question".
317. For a discussion of the corn bill see Meikle, op.cit, pp. 72-4, and John D. Brims, 'The Scottish Democratic Movement in the Age of the French Revolution' (Edinburgh University, Ph.D, 1983), pp. 135-9.
318. NLS, Melville, Ms 641, ff. 5-6, George Chalmers to Lord Provost of Edinburgh, 11 May 1790 (copy).
319. NLS, Melville, Ms 641, ff. 25-6, copy resolutions of the Annual Committee of the Royal Burghs of Scotland relative to the corn law bill, 31 January 1791; ibid, Ms 641, ff. 27-8, copy resolutions of the Commissioners of Supply of Kirkcudbrightshire, 1 February 1791. It is fair to say, however, that most counties were more concerned with being connected to districts advantageous to their grain sales: see NLS, Melville, Ms 641, ff. 29-31, extract minutes of the County of Dumfries as to the corn bill, 2 February 1791; also ibid, Ms 641, ff. 45-6, Andrew McDouall MP to Dundas, 22 March 1791.
320. NLS, Melville, Ms 641, ff. 122-3, William McDowall MP to Dundas [n.d: early 1791].
321. NLS, Melville, Ms 641, ff. 3-4, Patrick Colquhoun to Dundas, 3 May 1790.
322. SRA, Campbell of Succoth, TD219/6/195, Lord Fife to Ilay Campbell, Lord President, 8 March 1790.
323. For the attitude of the press, see Meikle, op.cit, p. 44; Brims, op.cit, p. 59. For the generally hostile attitude of the Scottish press to Pitt and Dundas, see Pitt papers, PRO 30/8/157, ff. 144-53, Dundas to Pitt, 22 November 1792; also EUL, Laing Mss, Div. II, 500, Henry Mackenzie to Robert Dundas, Lord Advocate, 14 April 1792, discussing The Edinburgh Herald.
324. Brims, op.cit, pp. 68-9. As late as February 1792, George Home saw the Revolution as useful in diverting French attention away from "our Indian possessions": SRO, Home of Wedderburn, GD267/3/14/37, George Home to Patrick Home MP, 8 February 1792.
325. Brims, op.cit, pp. 59-60.
326. For the debate on the early stages of the Revolution, Meikle, op.cit, pp. 46-60.
327. Brims, op.cit, pp. 161-4 has a discussion of the extent of Paine's Scottish circulation from 1791 to mid-1792.

328. SRO, Home of Wedderburn, GD267/3/13/7, George Home to Patrick Home MP, 20 April 1791: "the ravings of that American Demagogue [circulated] as the true and genuine Principles of Liberty".
329. SRO, Home of Wedderburn, GD267/25/1, George Home to Patrick Home MP, 20 January 1793.
330. See chapter one above.
331. For the weavers' strike and the local shock effect, see W.H. Fraser, Conflict and Class (Edinburgh, 1988), pp. 62-3. Also, SRA, Campbell of Succoth, TD219/6/123, Lord Eskgrove to Ilay Campbell, Lord Advocate, 24 September 1787.
332. SRO, Home of Wedderburn, GD267/3/14/23, Robert Hay to [Patrick Home MP], 4 May 1792.
333. Brims, op.cit, pp. 151-8, has a full discussion of the popularity of the abolition cause.
334. Cannon, Parliamentary Reform, pp. 113-4; Brims, op.cit, p. 49. The matter of burgh reform had been raised in the previous year; see Pitt papers, PRO 30/8/176, ff. 218-9, Lord Sempill to Pitt, 23 May 1791. It had had an equal lack of success.
335. For a discussion of resentment of taxes and of the excise service, see Brims, op.cit, pp. 143-150.
336. Meikle, op.cit, pp. 81-5, has a discussion of the riots and also of the varied causes assigned to them by those who looked for local explanations for the unrest. Brims, op.cit, pp. 158-161, appears little impressed with the notion that the riots can in part be explained away by local grievances, preferring to see them as motivated largely by political discontent.
337. NLS, Melville, Ms 6, ff. 50-1, Dundas to Lord Chancellor [Thurlow], 9 May 1792 (draft). In this letter, Dundas sets out his apprehensions about the restless state of the lower orders and also the concurrence that preventive measures can now expect from "persons of great weight and consideration[,] acting generally in opposition to the existing government...".
338. SRO, Melville, GD51/7/3/63, William McDowall MP to Dundas, 15 June 1792.
339. SRO, Home of Wedderburn, GD267/3/14/28, George Home to Patrick Home MP, 13 June 1792.
340. SRO, Melville, GD51/1/198/14/2, John Bushby to Lord [?Advocate Robert Dundas], 3 May 1792, gives an account of an enthusiastic meeting of Kirkcudbrightshire heritors and shows how they forced the meeting's direction against the sense of the freeholders present. Even as attitudes hardened against reform, there was still a willingness, even among the more conservative freeholders, to countenance some sort of action against /

340. against nominal votes, which were making a gradual return; contd see EUL, Laing Mss, Div. II, 500, George Home to Robert Dundas, Lord Advocate, 3 May 1793. See also the document cited in footnote 341.
341. SRA, Campbell of Succoth, TD219/6/212, Thomas Kennedy to Ilay Campbell, Lord President, 30 June 1792.
342. SRO, Melville, GD51/7/3/22-3, Robert Dundas, Lord Advocate to Henry Dundas, 20 June 1792.
343. Brims, op.cit, pp. 168-9 has an account of the convention of county reformers. At least one aristocrat was frustrated at how little was accomplished at the meeting: SRO, Melville, GD51/5/364/4/7, Hopetoun to Dundas, 8 July 1792.
344. For the convention of burgh reformers and the manner in which, under the guidance of Henry Erskine, they avoided involvement with more ambitious radical reformers, see Brims, op.cit, pp. 170-2.

CHAPTER THREE

SCOTTISH POLITICS DURING THE REVOLUTIONARY WAR

"The sword of extinction now hangs suspended by a hair over all property & civilised society, & that therefore every heart & hand ought to unite in matter[s] of higher importance than private pique".¹

In July 1792, came the first stirrings of what became the Scottish radical reform movement. Buoyed up by the now strong demand for parliamentary reform, a group of radical reformers in Edinburgh tried to interest the burgh reformers in combining to pursue this object. Rebuffed, they formed the "Associated Friends of the People" to achieve more equal representation and shorter parliaments.² The movement quickly attracted wide popular support with numerous local societies, mainly in Fife, Tayside and the Central Belt.³ Avowedly pursuing their aims by constitutional means, the rank and file were mainly tradesmen. They were not generally levellers, but economic liberals opposed to monopoly privileges, particularly those enjoyed by the landed classes. Not surprisingly, they had no support among the bourgeoisie or the landed.⁴

These men were supporters of the French Revolution, and the success of French arms against foreign invasion between September and November led many of the Scots lower orders to believe that radical reform was achievable and imminent. The result was an enormous spur to the movement's recruitment.⁵ But if the societies prudently concealed their glee at French advances, others could not. The years of pent-up frustration among the Scots commons again burst out in a series of riots in November, celebrating French victories. Dundas was burned in effigy in Perth, disturbances in Dundee lasted a week and local uproars

elsewhere thoroughly alarmed the ruling class. The Friends of the People did not support these riots, but they were still blamed by government supporters for encouraging them by inciting discontent, and they were considered to be in league with the French revolutionaries.⁶

Between 11 and 13 December, a convention of the Scottish societies met in Edinburgh to draw up a petition calling for parliamentary reform. Among the 170 delegates, a struggle was evidenced between the supporters of moderate reform within the existing constitution and those who wished for universal male suffrage and annual parliaments. The former carried the day, but while the dispute was not advertised, government were well aware of it, as also of the potentially treasonous address from the United Irishmen, read to the convention by Thomas Muir, an advocate fast rising to prominence in the movement.⁷

Even as they met, however, the delegates were facing the gathering momentum of an immense reaction by the ruling classes to all their activities. This reaction and the government's struggle against reform, would set the tone of Scottish politics for the next decade.

Dundas had been in Scotland from October and was the intended butt of the Perth riot.⁸ Now he could observe the alarm of the propertied classes. They had begun to draw back from approval of any sort of reform and the events of the Autumn, including the September massacres of aristocrats in France, had shaken them. The impact of the November riots was conveyed to the Duke of Buccleuch by a neighbour, Sir William Maxwell. Persuaded by "unknown emissaries of sedition", the lower orders in Dumfriesshire

believed that monarchy should be abolished, that government was preparing heavy additional taxes and that by uniting and resisting, the common people "will infallibly obtain justice, freedom, equality, and a division of landed property". Paine's work was in wide circulation and Maxwell spoke for many in "dreading the consequences that may arise from the present discontents, the absurd doctrine of equality, and the spirit of licentiousness, which seems everywhere to prevail in these kingdoms, amongst the lowest classes of the people".⁹ The upper classes began to fear revolution. "It appears to me", warned Sir William Pulteney, "that if mischief is to be set to work, it is likely to begin, in Scotland or Ireland ... & that great vigor [sic] to extinguish the first flame is of very great moment ... The period of Christmas when the work people are idle, is a likely time for beginning a riot".¹⁰

In the face of this near panic, Dundas delayed his return to London. From Edinburgh he worked to concert the forces of government and the propertied classes, for by now "Every body of character, respect and property are [sic] so much of one mind here on all the great principles of real government... The contest here is with the lower orders of the people, whose minds are poisoned up to the point of Liberty, Equality and an agrarian law".¹¹ Through November, Dundas described to Pitt the detailed strategy to quell the unrest. The radical meetings would be spied on, to give warning of their plans. Cheap, loyalist pamphlets would be subsidised by government and the newspapers, which "have not been friendly to us in this country", would be given "a perfectly right direction". More military force was

requested for Scotland. The clergy of the established church would be pressed to preach loyalty to their flock, but of the seceding clergy, whose congregations were all too keen on reform, Dundas was less certain. On a material level, Dundas, pointing to the wet Summer and the "wofully [sic] deficient" crop, requested that grain exports be prohibited and that the tax on waterborne coal be repealed to allow a cheap substitute for the poor peat harvest. He also called on Pitt to make pragmatic use of his surplus revenue to remove some unpopular taxes. Another part of his strategy was to organise meetings and addresses to government by loyalists in Edinburgh, "which I take for granted will be immediately followed throughout the country...".¹² Finally, on 1 December, he inaugurated the most notorious part of the government reaction. The Scots sheriffs and magistrates were circulated and asked to gather evidence for prosecuting publishers and circulators of seditious writings.¹³ This was to be the prelude to the state trials.

Much of Dundas's strategy was implemented. The clergy of the established church rallied to the government cause and Dundas arranged a truce between the feuding Moderate and Evangelical wings of the kirk.¹⁴ The church was thus able to present a united, loyalist front to its congregations and its efforts were of much comfort to government.¹⁵ Dundas's apprehensions about the seceding churches were well founded, however. Government was unable to make serious contact with them until 1798 and in the meantime "a great majority indeed of the dissenting clergy were notoriously disaffected".¹⁶

The coal duty was repealed in 1793, the single most popular act of Dundas's career among the Scottish population¹⁷ and the expected bad harvest failed to materialise.¹⁸ One project investigated but not ultimately pressed, was a Scottish militia. Dundas proposed a bill to create such a force and it was popular among his advisers and among those who hoped for places in the new establishment.¹⁹ Gradually it became clear, however, that a militia would be unpopular with the people and to this was added the suspicion that it would merely serve to arm the disaffected. The plan was dropped.²⁰

The government had much success in forming associations of loyalists to counteract the radicals. Starting in Edinburgh with the so-called Goldsmiths' Hall Association, these spread quickly from early December but they were populated mainly by the propertied classes. There were few members from the lower orders and the loyalists as a whole did not enjoy the support of the general public.²¹ This experience was paralleled in the campaign to promote loyal addresses. Most issued from private gatherings and gave unqualified support to King and constitution in the struggle against sedition. Where the popular voice was able to interfere in such meetings, designedly loyalist declarations were sometimes polluted with resolutions calling for reform.²² In general, however, the tone of these meetings can be seen in the attempt by two individuals to persuade the Glasgow Merchants' House that reform could be countenanced at a proper time. They "were told that we considered the word reform in the present times, as tantamount to rebellion, & that it could not be admitted into our resolutions".²³ Even in the counties, loyal addresses could meet

opposition. In Berwickshire, George Home was wary, "as in the West end of the county there are many people inimical to administration, and to everything which they think comes from them...". In the end, with "some murmurings" and a considerable delay, it was carried.²⁴

As the struggle between the loyalists and the radicals developed through December and January, the real success of the former was achieved by intimidation.²⁵ This involved the use of the considerable economic sanctions open to the ruling classes against the predominantly tradesman membership of the reform groups, together with local harassment and the threat of legal action.²⁶ The campaign was intense and effective. On 11 December, John Dunlop reported, perhaps prematurely, that the Friends of the People "are greatly disconcerted & frightened. There will not be any more of their meetings soon...".²⁷ The loyalist associations were offering rewards for information about disseminators of Paine's works and in late December, the Lord Advocate wrote to Dundas with "the most comfortable accounts of the progress of loyalty" and with his plans to prosecute the producers of seditious pamphlets.²⁸ These trials commenced in the Justiciary Court in January and government now firmly had the initiative. The radicals were on the defensive, with the terror of jail or banishment before them. So intense was the pressure on them, that by January their numbers were in serious decline. For the first time in three months, government supporters were optimistic but not complacent: "Any hazard from the seditious principles lately propagated in this country

is at an end for the present, but it is smothered rather than extinguished", wrote George Home.²⁹

The government had survived the crisis of November and December, partly because it had not lost its nerve and principally because of the manner in which the propertied classes had rallied round. This last was further encouraged by the execution of Louis XVI and the French declaration of war on Britain (1 February). Some opposition men had already moved to the government side³⁰ or had joined in loyal addresses. Opposition generally, however, while approving the defence of the constitution against the lower orders, hung back from a full endorsement of government.³¹ This is clear in Berwickshire (above), and it can also be seen in Lord Bute's attitude, supporting government measures while despising ministers.³²

The first effect of the war was on those who were either independent in politics or only weakly attached to opposition. Colonel William Fullarton was among the first to rise to the national emergency, sending Dundas a letter, summarised by a clerk: "Is ready to serve or be of any use in these times - all former distinctions of party sh^d be set aside".³³ Alexander Fergusson of Craigdarroch, continuing his correspondence with the Lord Advocate, displayed similar sentiments³⁴ and Sir David Carnegie also signalled his approval of government.³⁵ Queensberry may have taken this opportunity to rejoin administration.³⁶

For a period, the Whig party proper remained relatively intact, but the widening split between the conservative Portlandites and

the Foxites threatened this unity. The Foxites still numbered many among their ranks who wished for parliamentary reform, while Fox himself still regarded the threat to the constitution from the power of the Crown as of more importance than domestic subversion or foreign war. His continued vocal opposition to Pitt further reduced his supporters.³⁷ Government had been negotiating with the Whig Lord Loughborough for many months, and in January he defected to ministry, receiving the vacant Lord Chancellorship.³⁸ Soon after, Sir Gilbert Elliot, John Anstruther, Sir James Erskine and Sir John Sinclair, all opposition MPs, joined Windham's 'Third Party' in separating themselves from Fox's leadership, to support the war.³⁹ For a while thereafter the erosion of the Whigs was halted and Portland's strategy of opposition combined with a support for Pitt's war policy just sufficed to preserve unity. This undoubtedly suited many of his Scottish adherents like Mackenzie of Seaforth, who considered the war "just[,] expedient & unavoidable" and who, with others, was concerned at the direction Fox was taking.⁴⁰

The Scottish county and burgh reform movements, already in difficulty were both early victims of the general reaction to innovation. The county reformers met in December 1792 in an atmosphere very different from that of their July meeting. Henry Erskine produced a bill for ending nominal votes and extending the franchise to men holding land valued at £100 annually. Robert Dundas had been apprehensive that Erskine would succeed⁴¹ but in fact resistance within the meeting forced him to withdraw a motion calling for the bill to be considered immediately by the counties.

Instead, he admitted the danger of canvassing the matter at "so critical a period" and agreed to the Advocate's motion that the counties should consider it on 30 April, with a view to a further convention in May.⁴² This was a tactical victory for the Advocate, and in March a meeting of Midlothian gentlemen, friends of his, circulated the counties with a report on the bill, adverting to the current threat of unrest and declaring their intention not to send delegates to the May convention.⁴³ The county meetings of 30 April generally concurred. They were thinly attended, with freeholders dominating and some evidence that the lesser heritors were persuaded to stay away.⁴⁴ In general, they rejected the May convention and this killed county reform for a generation.⁴⁵

Burgh reform lasted little longer. A Commons committee, established after efforts by Sheridan, reported in June 1793 upon the abuses in Scottish burgh government. It was the last gasp and, aware of the tide against them, the reformers accepted the advice of their London committee and suspended agitation.⁴⁶

If the war enjoyed a broad measure of support among the Scottish political classes, the same cannot be said of the people as a whole. A sympathy for France's struggle against despotism, combined with a fear of economic ruin, made the conflict unpopular.⁴⁷ Fears of commercial dislocation seemed all too justified. A business crisis had been gathering pace since November 1792 as an over-extension of credit reached its limit. The declaration of war triggered a fall in confidence and the demand for money rose, causing a liquidity crisis, a wave of bankruptcies and unemployment.⁴⁸ Edinburgh and Glasgow were

particularly hard hit and from the latter John Dunlop wrote to Dundas in April, "that distress is hourly augmenting, and I shall not be surprised to see a general stoppage of payments take place in the course of a week, or two at farthest, unless some plan of relief be instantly adopted".⁴⁹ The crisis lasted through June and the course of it can be seen in the anguished entries in the diary of George Ramsay, the Edinburgh banker.⁵⁰ It was ultimately ended only when government, supposedly at the suggestion of Sir John Sinclair, allowed the issue of exchequer bills as loans to merchants, taken on the security of their goods in hand.⁵¹

The radicals were in fact able to reap very little advantage from the crisis.⁵² Still harried by government and its allies, their fall in numbers continued. A second General Convention in April 1793 sponsored the organising of Scottish petitions for peace but these were ultimately few in number and were brushed aside by parliament. This failure sent the movement into another spiral of despondency and decline. The state trials of Thomas Muir and the Reverend Thomas F. Palmer in August and September 1793 went a long way to reversing this collapse.

Muir had been indicted for sedition, in particular for his reading of the address by the United Irishmen to the First Convention. He had fled to France and latterly seems to have intended to migrate to America. The realisation of the straits to which the Scottish radicals were reduced caused him to abandon this plan and to return to Scotland, apparently with a view to using his trial as a public debate from which to revive the reformers. The trial in August was never likely to be fair. The climate

of loyalist reaction, the disposition of the judges and the mode of jury selection all militated against this. But Muir did himself no favours. He rejected the services of the brilliant Henry Erskine - it would have stopped his plans to pronounce on a variety of political matters - and conducted his own case. As a defence Muir's was poor and concluded with an extraordinary address to the jury that did much to convince them of his guilt. But even conservative opinion was shocked by the sentences of fourteen years transportation visited upon Muir and ^{of seven} upon Palmer, whose own trial followed shortly. The outrage among the reformers served to spur them to new exertions and a significant revival took place in their ranks⁵³ such that they felt able to call a third General Convention. This was more outspoken than any before and openly called for universal male suffrage and annual parliaments. It also broke completely the now strained links that the Scots radicals had had with those in the Whig party still pressing for reform.

This convention was rapidly followed by the so-called British Convention of November 1793, to cement a new alliance between Scottish and English radicals. The authorities had watched it all with growing alarm: "I hope they will not break up their meeting without doing something which will entitle us to interfere", wrote the Advocate.⁵⁴ Nor did they. They were forcibly dispersed on 5 and 6 December and more sedition trials followed in the New Year, with William Skirving and two English radicals, Gerrald and Margarot, joining the exodus to Botany Bay. As with their predecessors, the defendants were hardly given a fair trial but

contrived to make matters worse by their ill-advised conduct in court, infuriating the choleric Lord Justice Clerk, Braxfield.⁵⁵ Nor did these trials cause the radicals to gain strength as they had done from Muir and Palmer's misfortunes. Government followed up the convictions with a series of hammer blows against local societies that succeeded in driving the whole body underground.⁵⁶

A small fringe of the mortally wounded movement began to contemplate violence, something the upper classes sensed quite quickly.⁵⁷ In February, there were attempts to suborn some of the Scottish fencible regiments, alarmed at the prospect of service abroad.⁵⁸ In May, the government stumbled on the 'Pike Plot', the plan by a minority of radicals for an armed rising. It was smashed by a wave of arrests and the execution of one of the conspirators, Robert Watt. The Advocate was jubilant: "We have the public voice completely with us in the whole affair. Nobody believed that the plan was so serious as we proved it".⁵⁹ By October, the Lord Provost of Edinburgh's confidence was probably widespread: "all is peace and loyalty, and likely so to continue".⁶⁰ For three years the radicals in Scotland would be impotent but the ruling class's fear of them was never to abate.

The fear of an uprising led government to form armed loyalist associations, the volunteers. This was an old idea of Dundas's⁶¹ and by early 1794, the time was ripe. In mid-February he sent the Lord Advocate proposals for raising such units and the latter was enthusiastic.⁶² The proposals were canvassed privately⁶³ and included a plan to establish the office of lord

lieutenant in the Scottish counties. The system was Dundas's own conception and in later years he would be exceedingly proud of it.⁶⁴

By 6 March, Dundas had the King's approval to start appointing lord lieutenants in each county, with the proviso that appointees should be "the persons of most rank and weight ... unless their political principles are such as would render their nomination improper".⁶⁵ In fact, there seems to have been no upsets over the appointments, Dundas simply choosing the major landowner in each county.⁶⁶ Such was the accord between government and the Scottish Portlandites that several of the latter were appointed, including Mackenzie of Seaforth, Graham of Kinross, Macleod of Cadboll and Tweeddale.⁶⁷ The commissions were issued in April and while the office was new,⁶⁸ its importance was understood: "There must be a key-stone to the arch - a rallying point, somebody to look up & resort to - which in the state we are now in is absolutely necessary".⁶⁹

Plans were already circulating for raising volunteers⁷⁰ and this work, a prime function of the lieutenancy system, began in earnest from mid-year.⁷¹ From the start, they were seen as a force for maintaining internal order rather than as a defence against invasion. There were fears that the disaffected would enter the ranks⁷² and the units raised consisted almost exclusively of men of property, with entrants carefully vetted.⁷³ Recruiting was not necessarily easy, however, and there is clear evidence that many tenant farmers and others were reluctant to be involved.⁷⁴ None-

theless, in time a reasonable force was assembled and the Edinburgh Almanac for 1797 lists some 48 local corps.⁷⁵ The yeomanry corps of cavalry were even more exclusive and as we will see, Dundas attributed a special long-term role to them. The volunteer corps as a whole gave much comfort to the Scottish nobles and gentlemen, both in the way that they were thought to intimidate radicals and in the manner in which they could act to quell local disturbances.⁷⁶ They were latterly much expanded (see below) and in 1802, Lord Advocate Charles Hope, pointing to their general utility would "not be answerable for the tranquillity of Scotland, if the volunteer force is given up".⁷⁷

Such tenuous links as remained between the Scottish radicals and the Scottish Whigs all but ceased in late 1793. They had never been strong, for the Whigs had clearly understood the threat posed to their own cherished projects of constitutional reform by association with the broader demands of the radicals.⁷⁸ John Morthland, the Whig advocate, had been a Friend of the People, as had Lord Sempill, who was cashiered from the army for his politics.⁷⁹ The most vocal parliamentary supporter of the radicals had been Colonel Norman Macleod, member for Inverness-shire. He had presented their peace petitions and had addressed them in pamphlets, counselling moderation in their conduct. By December 1793, even he had abandoned them, although it did him no good with government, for whom he remained a marked man.⁸⁰ In any case, a profound change was overtaking the Whigs.

By the Autumn of 1793, a large portion of the Whig party, actuated by the same horror of revolution felt by Pitt's supporters,

stood apart from Fox's condemnation of the war and Grey's calls for reform. Under Portland's leadership they inclined to an open and active support of the government in its pursuit of a war that was going badly. Late in the year there were significant Whig defections to ministry, including the Scot, Gilbert Elliot who had hitherto followed Windham's semi-independent line. In January 1794, Portland formally broke with Fox, leading his adherents to a general support of ministers and in July a full junction of Portlandites and government took place.⁸¹

This alliance was not achieved without difficulties and these partly involved Dundas. Initially Windham was to be Secretary at War, Portland to be Home Secretary and Dundas to become Secretary for War, a new post including the direction of war policy, hitherto a part of the Home Secretary's duties. Windham and Portland bridled at this but Pitt was determined to retain war policy in the hands of himself, Grenville and Dundas. After much haggling, during which Portland was even offered the Foreign Secretaryship, he accepted the Home Office as offered. At this point, Dundas decided to resign, detailing his motives in a letter to Pitt of 9 July. His new office would be seen as a sinecure and he as a "puppet", since the principal direction of the war would inevitably remain with Pitt as First Lord of the Treasury ("all modern wars are a contention of purse"). In any case, there were already too many ministers in the Cabinet concerned with war policy.⁸² Pitt was shocked and in a letter clearly showing the depth of their friendship, entreated him to remain.⁸³ Dundas was not to be moved.⁸⁴ Ultimately, his mind was changed only by a letter

from the King and, more importantly, a visit to Wimbledon by a "distrest [sic] and agitated" Pitt. Now the shock was Dundas's and, taken aback, he agreed to stay in Cabinet: "rather than [having] seen him continue a moment longer in that state, I would [have] given him my life rather than [have] seen him suffer as I did".⁸⁵

There is no real reason to believe that Dundas's action was motivated by pique or by resentment at the way in which his old office was being taken from him, and the issue seems genuinely to have stemmed from his fear of being seen to hold an unnecessary office.⁸⁶ Once this last hitch was settled, the arrangement proceeded smoothly.

While the direction of war strategy remained almost exclusively with Pitt, Dundas and Grenville, the Portlandites were otherwise treated as equal partners in the new coalition and were admitted to a full participation in almost every aspect of government. In Scotland, we have already seen that some Portlandites had accepted lord lieutenancies prior to the arrangement and after July there were more benefits to them. Mansfield was appointed President of the Council⁸⁷ and Sir Thomas Dundas was given a British peerage. In time, Kinnoull would be made Lord Lyon⁸⁸ and Mackenzie of Seaforth would also receive a peerage. Other Scots Whigs who joined government with Portland included Sir John Shaw Stewart, Robert Graham of Gartmore and John Campbell of Cawdor.⁸⁹

There was little change in the manner in which Scotland was governed. Montrose wrote to Dundas in October, "I shall continue to consider you as Minister for Scotland, till I am informed to the contrary..."⁹⁰ and Scottish management indeed remained with Dundas.⁹¹ Portland, possessed of an even temper and

political probity⁹² was realistic enough to recognise, as he stated it to the Earl of Dumfries, that "you & I did not become labourers in this vineyard till a late hour...".⁹³ In general, it is clear that he did not sponsor attempts by his Scots allies to assert unrealistic or premature claims to Scottish patronage, failing, for instance, to support the over-ambitious claims of his old friend Robert Cullen to a seat in the Court of Session in April 1795.⁹⁴ Much of the Scottish patronage of the Home Office was distributed according to long standing conventions, and to that extent Portland's hands were already tied. But these rules - mainly relating to appointments to local posts such as church presentations, commissaries, keepers of sasine registers - usually rested on some assessment of local influence and the Scots Portlandites could expect to benefit from them in any case. There is little evidence that the Duke tried to remodel these principles. If anything he reinforced them as for instance in his re-iteration of the need to demand certain qualifications of candidates to be appointed as sheriffs-depute.⁹⁵ Henry Dundas was critical of Portland's tenure of the Home Office⁹⁶ but surprisingly this is not an opinion shared by later historians, who see him as exercising his duties conscientiously.⁹⁷ Certainly any inspection of the Home Office correspondence concerning Scotland shows that he took a careful interest in most of the business under his charge.

If Dundas had criticisms of Portland, they remained friendly. In March 1795, George Home agreed that "his Grace shows a marked attention to Mr Dundas" because of the crucial part played by Dundas in the negotiations leading to the restructuring of the

government.⁹⁸ In practice, Portland gave the Dundases a free hand in Scotland. At times his attitude seemed almost to show an unwillingness to interfere in Scottish affairs. Thus despite having clear knowledge of many of the candidates for the vacant seat in the Court of Session in early 1796, he handed the final choice to the Lord Advocate, satisfied of their being united in the aim of finding the candidate who would give the most satisfaction.⁹⁹ Portland also exercised tact. Thus when the Rev. Robert Walker, a minister who had contributed to a Whig success in Scottish church politics in 1789, came looking for his reward in 1795, Portland, recognising that the matter ultimately had to go to Dundas, counselled his secretary to be circumspect in his enquiries concerning Walker's fitness.¹⁰⁰ Only once does there seem to have been a serious difference between Portland and Dundas, when the former insisted on appointing Robert Cullen as a judge in November 1796, against Dundas's efforts.¹⁰¹ It does not seem that Portland or Dundas particularly disagreed about how to cope with the political and economic problems cast up in Scotland by the war.

As well as reshaping the political map, the war presented other advantages to government through the vast expansion of military and naval patronage. Prior to 1793, the comparative paucity of correspondence concerning military patronage suggests that Dundas was able to offer such favours only rarely.¹⁰² He could occasionally extend a helping hand, surprising John Hamilton of Sundrum with the offer of a free commission for a son in 1788,¹⁰³

and assisting William Wemyss, the Fife MP, to place a half-pay lieutenant on full pay in an Indian Regiment in 1791.¹⁰⁴ These and other examples suggest that Dundas could count on a trickle of such patronage.¹⁰⁵ Two Scottish regiments, the 74th and 75th Highlanders, were raised in 1787 by Sir Archibald Campbell and Colonel Robert Abercromby, but Dundas had little gain from this, leaving the nomination of officers to the two colonels and asking only one appointment for a son of Lord Swinton.¹⁰⁶ Occasionally he would have windfalls, as in March 1790, when a Captain Lumsdaine, desperate to avoid West Indian service, offered his company to be allotted free to any half-pay captain, in return for Dundas's promise of an invalid company.¹⁰⁷ There were flurries of applications to raise men at the time of the Nootka Sound and Ochakov Crises in 1790 and 1791, but otherwise the general situation remained as Dundas had described it to an aggrieved and importunate Earl of Breadalbane in 1787:

"...your Lordship may probably think it right to enquire what the connexions [sic] of other people have got in the way of military promotion since the peace, and if I am rightly informed you will find there has been a total stagnation of it except in so far as it proceeded from purchase".¹⁰⁸

Given the much reduced size of the peactime army there is no reason to believe that Dundas fared any better or worse than other politicians in providing military patronage for his friends and allies. The short supply of such favours probably strengthened his position, for while it was open to anyone to apply to the Secretary of War, it required considerable influence to have any success.¹⁰⁹

All this changed with the outbreak of war. It is not easy to determine the amount of patronage obtained by Dundas but all the indications are that it was considerable.¹¹⁰ As Scots manager and latterly as Secretary for War, 1794-1801, he was uniquely placed to give advice as to the acceptance or rejection of offers to raise regiments and he was not slow to encourage various Scots to come forward with offers.¹¹¹ The reforming of the Scots Brigade was his particular pet project¹¹² but he was also involved in the advancement of Cameron of Erracht's plans to raise the 79th Highlanders¹¹³ and in two regiments raised by Colonel William Fullarton¹¹⁴, among others. From 1794, Scotland would raise some fifty one regiments of fencibles, men whose service was confined to domestic defence.¹¹⁵ Dundas played a full part in encouraging these, as for instance in the cases of the Fife,¹¹⁶ Berwickshire¹¹⁷ and Caithness¹¹⁸ regiments.

In most regiments new-raised, the commanding officer had the nomination of the officers to serve under him. In regular regiments of the line this was no small consideration and Colonel Thomas Dundas, raising the 68th foot, reckoned to sell his ensigncies at £250 each.¹¹⁹ Such transactions were not allowed in fencible regiments but the power of appointing officers in them was still a considerable plum.¹²⁰ Inevitably Dundas could benefit from those so gratified, as in the case of the Earl of Home, for whom he obtained a company in Hopetoun's regiment.¹²¹ The united nature of the war effort and the accession to the government fold of much of the old opposition, saw Graham of Balgowan and Mackenzie of Seaforth both raising regular regiments.¹²² Even Breadalbane, whose

ambiguous political stance continued, was admitted to the benefits of such patronage.¹²³ Such operations did not always work to government's advantage, however, and we will see that far from encouraging loyalty to administration, disputes over the officering of the Angus fencible regiment contributed to the fall of the local MP, a close ally of Dundas. Nor did the understanding between government and opposition extend beyond a certain point and Colonel Norman Macleod's offer to raise a regiment, prefixed with his disapproval of the war, was not taken up.¹²⁴

Apart from the raising of regiments, a vast sea of military patronage opened to the supporters of government. Much of it was vested in the Commander in Chief, Lord Amherst to 1795, the Duke of York thereafter, and any politician could apply to him. Nonetheless, as Secretary for War, Dundas was well placed for access to him and he was besieged with applications from those aware "that to men who have interest, every difficulty, vanishes in a moment thorough [sic] the influence of their friends...".¹²⁵ The Duke of York's time at the Horse Guards was a period of extensive reform in the British Army¹²⁶ and he occasionally refused Dundas's requests, where they did not conform to rules he had prescribed.¹²⁷ Nonetheless, Dundas seems to have done very well for himself and among the hundreds of letters applying to him for all the variety of military appointments and promotions that the war cast up, are numerous letters of thanks for favours obtained. Sir James Steuart Denham MP was placed on the Scots staff,¹²⁸ Mackenzie of Seaforth's brother was promoted,¹²⁹ Lord Dalhousie's military career was considerably advanced by Dundas's efforts¹³⁰ and

the Marquess of Tweeddale's nephew was appointed to the majority of a Hottentot corps at the Cape.¹³¹ There are many other examples. On the fringes of the successful were those who had to wait patiently until their turn came, men like Lord Belhaven pressing for promotion¹³² or Colonel John Callendar looking for confirmation of his rank.¹³³ Even ungratified, many would remain loyal to government in the hope of things to come. The principle of 'hope deferred' with the supplicants left dangling in expectation, was an enormous benefit from a system of this sort.

The construction of barracks in many Scottish towns to control popular unrest gave further openings for patronage.¹³⁴ Offices connected with these situations were in the gift of the Secretary at War and the Barrack Master General¹³⁵ but they were generally "conferred in consequence of political recommendations by Members of Parliament"¹³⁶ and while it seems that latterly the War Office pressed the appointment of military men,¹³⁷ the posts remained the objects of politicians' attentions.¹³⁸

In a Scotland relatively poorer than England, a military career presented one major drawback. Most promotion was made by purchase and the sums involved could be considerable.¹³⁹ Not a few requests to Dundas involved attempts to obtain advancement without the outlay of money for commissions.¹⁴⁰ This pitfall to the ambitious Scot was not present in the senior service.

Since the ship and its equipment were state property, there was no system of purchase in the Navy¹⁴¹ and a naval career began when the captain took an individual aboard as a midshipman. Not

surprisingly, Scottish captains tended to favour their own and one Englishman wrote of his fellows,

"the officers appeared a nice set of gentlemen, but, the captain being a Scot, they were all, nearly, from the same country, so that I found myself a sort of lonely person among them".¹⁴²

It was from the pool of men introduced to the service by the captains that the officers were almost exclusively drawn. Their commissions came from the Admiralty and securing them required interest either with an admiral or, most desirably, the First Lord of the Admiralty.¹⁴³ It was at this level that Dundas could operate, dealing with the successive First Lords, Chatham (1788-94) and Spencer (1794-1801).

As with the army, naval patronage was in limited supply before the war. Dundas's office as Treasurer of the Navy (1783-1800) gave him influence in appointing pursers¹⁴⁴ and Clerks at the Navy Office,¹⁴⁵ and it was generally perceived that he could "do a great deal for navy people".¹⁴⁶ While it was perfectly open for politicians to apply directly to the Admiralty, not a few like Sir Robert Laurie, finding "that nothing is to be got in y^e navy without interest", would turn to Dundas for help.¹⁴⁷ There was a steady flow of requests to him for influence to procure promotions and he would make his recommendations.¹⁴⁸ As with his military patronage, it is difficult to gauge the extent of his success. A memorandum of 1790, showing promotions that he obtained during the Spanish Armament Crisis, is suggestive.¹⁴⁹ Four lieutenants were made commanders. Among them, Andrew Christie of Burntisland had the support of Charles Hope¹⁵⁰ and Philip Durham was the son of a

prominent Fife family, supported by two MPs.¹⁵¹ Twelve midshipmen were promoted to lieutenants, and these included Robert Honyman, of a prominent Orkney family and later to be an MP,¹⁵² Philip, son of Sir Robert Anstruther of Balcaskie, a Fife landowner¹⁵³ and William Renton, patronised by Home of Wedderburn.¹⁵⁴ Two individuals promoted on the Halifax station complete the list. While some of these promotions seem to have been rescinded on the threat of war disappearing,¹⁵⁵ the list indicates the potential importance of such patronage in maintaining the government's influence in Scotland, particularly given the number of Scots who had chosen a navy career. There was always potential for gain from situations of the sort presented by James Dalgleish, soliciting promotion for his son, and assuring Dundas, "you may depend on my endeavours to support any recommendation you may be pleased to make to the Town Councill [sic] of Q'ferry [sic] for filling up the late vacancy of a Member of Parliament".¹⁵⁶

The expansion of the fleet during the war extended the available patronage and Dundas's papers show a stream of individuals benefiting from his influence. His interference with Admiral Sir John Jarvis advanced David Milne, an Edinburgh man, to the rank of lieutenant and a later effort pushed him to the rank of post captain.¹⁵⁷ Midshipman George Rannie, a protege of Lord Haddington, was raised to a lieutenant with Dundas's help.¹⁵⁸ Lieutenants could be made commanders, as in the cases of Thomas Dundas¹⁵⁹ and John Inglis¹⁶⁰ and commanders could be helped to post captaincies, as was the nephew of Major General James Stuart.¹⁶¹ A few favours went to relatives of Scots clergymen and this probably did Dundas

no harm in his church management.¹⁶² For others, the usual rules of patronage probably applied, although they were rarely as explicitly stated as by Sir Thomas Livingstone of Westquarter, who was advised by a friend, "that I could scarcely have a right to expect that you [Dundas] would interest yourself in my favour, till I had made known my determination in respect to political matters, & had assured you, of my firm adherence to your interest". He duly made the declaration and within a few years was thanking Dundas for his appointment as post captain.¹⁶³ Some were more subtle, like Richard Oswald, who carefully associated an account of his Kirkcudbrightshire politics with a request for the promotion of a brother to master's rank.¹⁶⁴ James Clayhills, who told David Scott MP that his support in Angus politics depended on a brother's promotion, was so crude as to receive no countenance.¹⁶⁵

On an overview, it is clear that the government must have gained considerable advantage from the flood of naval and military patronage into Scotland during the war years. Nonetheless, the impact of this flood should not be exaggerated. It did not all flow through Dundas's hands, although the commonly held view that it did caused him no harm. More importantly, the fact that much of the old Scottish opposition backed the government war effort on a non-partisan basis, meant that the basic prerequisite for political tranquillity already existed. These men did not require favours to be won over. The corollary of this was that after the war they would not necessarily feel bound to Pitt or Dundas by favours granted during the national emergency. Colonel Thomas Graham of Balgowan is a perfect case in point.¹⁶⁶

At a wider level, the war almost certainly contributed to the process by which the Scots political classes and their hangers-on were coming to share more fully and wholeheartedly in the fruits of empire. The Scots as a whole had always been possessed of some advantages in such pursuits:

"The education of the country in general still continues to above their rank, [sic] It is so particularly with the better sort of farmers['] sons and when they have two or three[,] one of them generally lands in the army or the marines". 167

An analysis of the commissioned officers of the Royal Navy 1793-1815, has suggested that, in proportion to their respective populations, the Scots enjoyed an equal share of such positions with the English.¹⁶⁸ The careers of Admirals Keith, Duncan and Cochrane-Johnstone were only the most public manifestations of this. No comparable discussion is available for the army but at least one writer has asserted that the Scottish contribution to the war-effort in numbers of soldiers raised, was out of all proportion to its population.¹⁶⁹ The Scots could be proud of Sir John Moore and of the two Abercrombies, Sir Ralph and Robert. Of Sir Ralph, the Duke of York's secretary wrote:

"none of our generals are more capable... he has indiscriminately employ'd persons of all country's [sic] about him, and his only guide appears to have been to select men of merit wherever he could find them, and that the majority of those in the army are Scotchmen, I have no hesitation in saying". 170

The Scots themselves were conscious of their role in all this. One candidate for a marine commission described Scotland as "that country [to] which Great Britain is so much indebted for its government and the bravery of an army & navy which protects so happy

a nation from the daring insults of our enemies".¹⁷¹ Sir Ralph Abercromby wrote of the Helder Expedition of 1799, that "if this is a Scots expedition, they have born[sic] the brunt of the day".¹⁷²

The Scots participation in other parts of the empire was very evident in the period and the aspirations and horizons of the political classes clearly broadened. How far Dundas himself was responsible for the growth of an imperial consciousness in Scotland is harder to determine. He certainly helped many Scots forward but it is likely that his main service was in the encouragement that his own success as a British politician gave to his countrymen to try for employment on the wider stage. East India has always been associated with Dundas's name and the mechanics of Indian patronage have already been discussed. Scots had been going out to India long before Dundas had any influence in British politics, however, and historians of East India have long pointed to an increasing Scottish presence there from the mid-eighteenth century.¹⁷³ The importance of Dundas was to make Scots more aware of the opportunities in what one of them called "Your India".¹⁷⁴ The West Indies also saw the arrival of numerous Scots and this can be more directly attributed to Dundas, a consequence of the civil and military posts opened up by his war strategy of attacking French colonies, rather than trying to storm mainland Europe. Always a less popular field of employment because of the unfavourable climate,¹⁷⁵ nonetheless several Scots found themselves in high positions there. Lord Dunmore was Governor of the Bahamas 1787-96, Lord Balcarres of Jamaica 1794-1801, Seaforth of Barbados 1800-6, and Admiral Cochrane-Johnstone governed Dominica 1797-1803. Lesser men also went West and Ninian Home was Lieutenant

Governor of Grenada through Dundas's offices.¹⁷⁶ This patronage was of some use to Dundas in Scotland, where, for instance, the appointment of the Assistant Commissary to St. Domingo in 1795 gave him the support of the influential Bushby family in Dumfries-shire.¹⁷⁷ In 1801, Dundas was forced to explain to Hiley Addington the particular importance of a Tobago appointment to his Aberdeenshire politics.¹⁷⁸ Scottish penetration of the diplomatic service was also well advanced by the time Dundas came to power. It has been calculated that between 1760 and 1789, one in every seven appointments to the diplomatic service were Scotsmen and they numbered among their ranks Sir Robert Murray Keith, Sir Robert Ainslie and Joseph Ewart.¹⁷⁹

The complete satisfaction of the Scots upper classes with the benefits of the Anglo-Scottish Union, was concisely described by Lady Dundonald in 1800:

"The happy situation of this favoured Kingdom may obviously recommend the same union to Ireland, they may observe many good effects from our union with England, they see a Secretary of State, a Chancellor of Britain, a Commander in Chief of the Army, and several renowned Admirals[,] all Scotchmen. Ireland may in like manner share in shining in the service of the Empire...".¹⁸⁰

The rapid diminution of the ranks of the political opposition in Scotland from 1793 onwards, the general terror of rebellion from below and the great quantity of military and other patronage now at government's disposal, all combined to provide the main preconditions for what some contemporaries called 'The Dundassian Domination'.¹⁸¹ In 1785, when Boswell wrote of Dundas as a despot aiming for control of the political class and its representatives, it was largely rhetoric. From 1793 until the end of the war,

opposition to the Scots government party was liable to the worst construction being put on it. Henry Cockburn wrote eloquently:

"Jacobinism was a term denoting everything alarming and hateful, and every political objector was a Jacobin. No innovation, whether practical or speculative, consequently no political or economical reformer, and no religious dissenter ... could escape from this fatal word".¹⁸²

A profession of attachment to King, constitution and government now became the indispensable last clause in every solicitation for favour. It is misleading to describe this as "studied sycophancy with ulterior motives in view".¹⁸³ For some it may have been that. For most it was a far more serious matter. As the Rev. Thomas Somerville put it,

"In the present situation of this country, I am sensible that a principal respect is paid to the political principles and conduct of the candidates for ministerial favour, independent [sic] of other qualifications".¹⁸⁴

There is every reason to believe that many people had their prospects blighted by suspicions as to their political principles. One clergyman wrote of an applicant for a professorship, whose loyalties were in doubt, "whilst that is the case[,] were he a Sir Isaac Newton he can have no support from me".¹⁸⁵ A lot of this went on, and many innocents suffered from the innuendos of their rivals:

"... I much fear that if the character of individuals in this country are to be estimated by the opinion of Lord Melville's friends that it will be found that every person disconnected with him is tainted with Jacobinical and immoral principles...".¹⁸⁶

Against this background, some counties hitherto hotbeds of opposition to Dundas and to government, became tranquil, as Whigs and independents ceased their activities.¹⁸⁷ This new

tranquility also extended to the peerage elections.

After over two years of legal disputes, the House of Lords decided on 23 May 1793 that Scottish peers with British titles had a right to vote at the peerage elections.¹⁸⁸ A little later, while finding in favour of two of the six peers who had claimed to be elected in 1790, they ordered a by-election to elect a third.¹⁸⁹ In the long term, since British peers tended to support government,¹⁹⁰ the former decision was of considerable importance. Dundas, who had long argued the need to re-enfranchise the British peers¹⁹¹ would later explain:

"In truth once we carried the quaestion [sic] in the House of Lords ascertaining the right of the British peers to vote in the election of the sixteen representative peers, there has been no cabal or party intrigue amongst them. They look up to government, and if government have a decided wish and act with decency and discretion ...there can be no doubt of success".¹⁹²

Other considerations played a part. The consensus among the peers as to the need to support Pitt obviously reduced potential opposition. The improvement in government management methods, so apparent in 1790, was continued. In August 1793, Buccleuch would write that he had little wish in future to be so forward in election management as he had been in 1790¹⁹³ but he remained central to government interference for years to come. Addington, writing in 1802, described the system:

"... I have understood that, for some years past, there has been no positive interference on the part of government: but that it's [sic] principal friends on the spot, of great authority, & influence, & well acquainted with the sentiments of the elective body, have been chiefly instrumental in forming those arrangements, by which the administration of the country has been strengthen'd during the whole of His Majesty's reign, & particularly within the last twenty years. Of late the Duke of Buccleugh [sic] has, I believe, taken the lead; & I doubt whether any one could be so acceptable to the nobility of Scotland".¹⁹⁴

The full effects of the new political climate took a little while to be felt. Napier wished to stand at the by-election of 7 August 1793 caused by the Lords' decision, but he was dissuaded by Buccleuch, who wanted the friends of government to support Lord Somerville to whose conduct in the previous election they owed obligations.¹⁹⁵ Tweeddale also decided to stand as an Independent Peer and solicited Buccleuch's vote: "it hurts me to think I should be the first of my family [who] has not been always elected - and further as my family is large it prevents me acquireing [sic] freinds [sic] for them which in after life may be a great loss". He received a firm but friendly rejection.¹⁹⁶ Tweeddale's canvass was very active and gave the government managers cause for alarm¹⁹⁷ but in the end he abandoned the contest, possibly in protest at the government's interference.¹⁹⁸ Napier heard that "our opponents were in great wrath with Lord Tweeddale, for having offered his services without their privacy [sic] and consent"¹⁹⁹ and this may have had some influence. His retreat was too late to prevent two signed lists being presented in his support at the election meeting. Hopetoun decided not to stand, reportedly because he was expecting a British peerage, and the ultimate lack of an opponent to Somerville was a relief to the election clerks who had yet to receive formal notification from the House of Lords as to the eligibility of British peers to vote, and who feared the consequences of a contest.²⁰⁰ In fact the election was quiet, although Lauderdale objected to the votes of six British peers.²⁰¹

In these years the party of Independent Peers fell into abeyance. Kinnoull and Mansfield, both British peers and

unhappy about the right to vote afforded to them by the Lords' decision, tended to boycott the elections.²⁰² Others, moved by the circumstances of the times, fell into a comparatively comfortable association with the government peers. Tweeddale's independency soon wore off. Hopetoun's case is interesting. Despite his sister's marriage, "his new formed conection [sic] with M.^r Dundas and Regiment"²⁰³ does not seem to have corrupted his principles. The death of Lord Elphinstone led to another peerage by-election on 23 October 1794. Hopetoun allowed himself to be persuaded to stand by Dundas, in order to prevent any contest, but concluded his agreement to Dundas's proposal "in confidence that no ministerial influence shall be used".²⁰⁴ To Portland, Dundas drily remarked, "He does not explain whether he means none at all or none against him".²⁰⁵ The evidence is limited but the government campaign seems to have been discreet.²⁰⁶ In practice, little exertion was required, since Hopetoun could count on the combined support of the government party, his old friends among the Independents, and the Portlandites who had recently joined Pitt.²⁰⁷ Erroll and Galloway, both supporters of the old government group, had been rumoured as candidates²⁰⁸ but they did not stand. Buccleuch was again able to dissuade Napier from standing²⁰⁹ and Hopetoun's return was unopposed.

If the election of 1794 had shown the new understanding between the old government group, the Independents and the Portlandites, that of 1796 was a triumph for management. In the summer of 1795, Dundas had pressed the Earl of Haddington to be a candidate and while Haddington latterly had to decline,²¹⁰ other

prospective candidates, including Dalhousie, Aboyne and Cassillis, applied for Dundas's countenance.²¹¹ Cassillis indeed was not prepared to stand without the approval of Dundas and Buccleuch²¹² and the Duke was again to the fore in election arrangements. As early as February, he had warned Dundas that "many young men wish to be candidates"²¹³ and in March he spelt out the problem. He had tried to stop canvassing at present, to prevent premature engagements being made:

"Our friends must act together and we must have no more candidates than freinds [sic] we mean to support and bring in. We have often been perplexed by having too many freinds [sic] of government upon the field at the same time".²¹⁴

This was a little alarmist, for in the event only Lauderdale appeared as an opposition candidate. Dundas and his friends put together a list of sixteen candidates and after an initial adjustment, when Northesk replaced Hopetoun who had declined re-election, these were all returned.²¹⁵ The conduct of the election and its result reflected the essential unity of the peerage. The government's involvement was not so crude as to offend the former Independents - Cassillis wrote, "I am perfectly aware of the caution and delicacy with which this should be manag'd"²¹⁶ - and the result was generally approved. Pitt supporters such as Napier, Somerville and Torphichen, were balanced with Independents and Portlandites like Dumfries, Strathmore, Breadalbane and Tweeddale. The defeat of Lauderdale, the seventeenth candidate, provided the only sour note to the election. He registered three protests at the proceedings and he also received the solitary vote cast by the embittered Lord Sempill, who described Lauderdale as "an honor to the peerage, and was rather severe against government".²¹⁷ All sixteen, as

expected, were loyal supporters of government.²¹⁸

The election of 15 August 1798, brought on by Erroll's suicide, set the seal on the government's successes in the peerage elections.²¹⁹ Hardly was he in the grave but Dundas had advised Eglinton to begin a canvass²²⁰ and Buccleuch confirmed that he was "the most proper successor".²²¹ He was returned without a contest. Viewing all this, Portland could write to Lord Castlereagh, fretful about managing the Irish peerage in 1800:

"... the election of the Peers of Scotland is now left intirely [sic] to the managemt [sic] of the great and respectable friends of Gov^t[.] ... & it is now so well understood that as vacancies occur in the course of the Parlmt [sic] or at the general election by the disinclination of any of the peers to Parlm^ty attendance (for it is now generally understood & considered that unless those who have served are desirous to withdraw themselves they are intitled [sic] to a preference) the peers of the first respectability in point of rank[,] fortune & character are to succeed[,] that every idea of [a] contest is in a manner given up & the election is conducted with almost as little sensation as if the succession was hereditary".²²²

There was some exaggeration in this and there would be bitter contests at future peerage elections, but it adequately conveys the sense of the truce prevailing among the Scots peers between 1794 and 1801.

The growth of an imperial consciousness in the Scottish ruling elite discussed above was almost certainly accelerated by the very nature of the war itself. For the first time, the British propertied classes faced a foreign war where the stakes were far higher than the mere loss of a few colonies. From without they faced invasion and from within, the prospect of subversion. Both 'fronts' were perceived to pose a very real threat to the

ordering of British society and to the privileges and status possessed by its leaders. This of course was the main cause of the general alliance of the Portlandites with the government party but the union was not unconditional and beneath the surface different threads are apparent in Scotland.

The first of these was the gradual development of a Scottish Tory party, known to contemporaries as the Pittite or, later, Melvillite interest.²²³ As early as 1794, a sycophantic favour-seeker had written of Pitt's as

"that government which I am in my conscience convinced, has been the means under heaven now, [sic] more than once, of keeping the crown on the King's head, of saving the laws[,] the nobles, the order of society, the religion, the people, & their property from being reduced into one common ruin".²²⁴

It was a view that many Scots nobles and gentlemen would hold before the decade was out.²²⁵ As we have seen the government's supporters before the war had been drawn from those who followed administration because it was the fount of patronage and from those who supported it through a traditional conservative rejection of opposition to the King's government. The threat of radical upheaval from below added a new element to the equation and led to an appropriate adjustment in conservative thinking. We have noted that there was a realisation that the radical unrest would endure and would have to be carefully watched. Dundas himself was acute in perceiving that this unrest would not end with the war, that a national response was required for what was a British problem, and that at base the struggle was between the emerging industrial society and its labour force, and the old landed order. Thus he chided Buccleuch, whom he believed to be opposed to establishing yeomanry cavalry:

"...if the form & substance of this constitution is to be protected against the various combinations forming to disturb both, it must in a great measure depend on our being able to raise and keep up in the country after the establishment of peace the spirit of yeomanry corps, and thereby forming a connexion [sic] between the gentlemen of rank and the yeomanry in England, and the persons of rank & substantial farmers in Scotland ... at an expense not exceeding £100,000 ster^g, we shall be able at all times to preserve in Great Britain a cavalry force of this description form'd from men of property and substance living in the country & not infected with the poison of large towns, and this to an amount not less than 20,000 men. I ask you if it is possible to figure [sic] such a bulwark of strength to the safety of the constitution of the country, as would arise from such a circumstance". 226

If the defence of the social order was a problem facing the British rulers as a whole, so it became another factor in the gradual fusing together of English and Scottish politics. The gradual evolution of a British political nation had been going on since at least 1603 and in recent times had been evidenced in the emergence in Scotland of a Whig opposition tightly bound to that in England, and of course in the career of Dundas himself as a British politician.²²⁷ Now in the wartime struggle, Dundas and his allies became a party inextricably identified with Pitt and his cause. When an anonymous analyst of the Scottish members elected in 1802 described twenty six of them "as invariably attached as partisans to the politicks [sic] of M.^r Pitt and M.^r Dundas", nowhere was there any attempt to identify any separate or personal interest belonging to the latter.²²⁸ In 1803, alarmed at Pitt's manoeuvres in English politics, Dundas wrote that Scotland

"is one great family of friends warmly attached to M[^r.] Pitt upon genuine public feelings and to my certain knowledge, there never was a minister possessed so great a personal interest amongst the noblemen and gentlemen of any country, as he does in that, and when you recollect

what are the characters and descriptions of those noblemen and gentlemen, I think you will agree with me that no man ever possessed a prouder support than he derives from the attachment of that country".²²⁹

This alliance, at the core of which were the friends Dundas had acquired before 1794, would form the basis of the nineteenth century Scottish Tory party. Pitt's image as the 'pilot that weathered the storm' was as admired in Scottish circles as it was in England. After his death there would be Pitt Clubs in Scotland as in England, devoted to the memory of the great defender of King and constitution²³⁰ and a body of Scots would continue to act together as Pittites. The spirit of this grouping was described by Dundas:

"The memory of an illustrious character who has done great and important services to his country, is a sacred deposit, which his country is bound to cherish, and the chosen friends whom he has left behind him, are peculiarly called upon to be the protectors of it".²³¹

About 1810, Melville had cause to try and assess the extent of his influence in Scotland. In Fife and Southern Scotland, he reckoned to count on the loyalty of Buccleuch, Hopetoun, Haddington and Galloway among other peers and Sir James Montgomery and General William Wemyss among several commoners. Elsewhere in Scotland, he could count on the probable support of eleven peers, including Gordon, Atholl, Moray and Seaforth, while among the MPs as a whole he might hope for the support of between eighteen and twenty one men.²³² It seems clear that this was the core of the Scots Pittites.

The second major thread to Scottish politics in these years was the survival of an opposition. It is crucial to understand

that many who supported government after 1794 were merely marking time. Some were intimidated into silence but for most it was a voluntary recognition of priorities during the national emergency. Thus in writing of the independent freeholders of Kirkcudbrightshire, a local laird could observe that "in that body I know of a great majority who are not only loyal subjects & steady friends to our excellent government [i.e: constitution], but also warm supporters of our present deserving ministry".²³³ It is an interesting distinction to make. Later, in Stirlingshire, it was noted that in measures of national defence, "those who were in opposition to the administration seem to make a point of coming forward, & offering their services for the defence of the country, against an invading enemy...".²³⁴ Those that felt able to join in this truce in Scottish politics, to support government without abandoning their principles, included, besides the mass of the Scots Portlandites, the general body of those who had opposed Dundas either on personal grounds or out of distaste for his methods and system of management. It was to this truce that Colonel Fullarton alluded when he wrote to Pitt, "... I have never been considered as a personal adherent of your administration, even when concurring in some of its leading measures".²³⁵ Occasionally other forces can be seen at work and both Fullarton and Sir David Carnegie, formerly opposition MPs, had to endure harassment in their counties from men who resented their support for government.²³⁶ It is the continued existence of this large pool of latent dissent that explains the speed with which opposition was able to re-mobilise in Scotland in the years after 1801.²³⁷

Some of the Scottish Whigs remained with Fox and stayed in open opposition after 1793. For them these were desperate years.

Henry Erskine was now their principal leader, with the Earl of Lauderdale in close support. Each year they would gather in January to celebrate Fox's birthday and the dining list, always obtained by government, gives a fair indication of the Edinburgh-based opposition. The list for 1795 names, among others, Erskine, Breadalbane, Sir Henry Moncrieff and several advocates, including Malcolm Laing, Adam Gillies, Charles Ross, Robert Cullen, Bannatyne Macleod and John Morthland.²³⁸ That for 1796 includes Colonel Norman Macleod MP, and Mansfield, the Edinburgh banker.²³⁹ Some were regarded by government as the most decided republicans in Scotland. "The others must certainly have a fellow feeling, when they thus associate with persons of that description", concluded the Lord Advocate.²⁴⁰ As a group, the advocates were vulnerable to pressure. There is evidence that as early as 1792 government began to discriminate against the Scots Whigs in legal appointments²⁴¹ and in the years 1792-1801 only Cullen and Macleod Bannatyne were to reach the bench, Bannatyne in the face of the strongest possible opposition from the Dundases.²⁴² The Whig lawyers found it hard to get business²⁴³ and opposition in general were denied access to government favours. When George Cranstoun, a Whig advocate, devised a stratagem to become an assessor for Edinburgh, Lord Advocate Dundas made the most strenuous private exertions to stop him.²⁴⁴

Henry Erskine's presiding at a November 1795 meeting in Edinburgh to petition against two bills before Parliament, provided government supporters with a chance to deliver what was the most brutal blow to the surviving opposition in Scotland in these years.

A response to an attack on the King, the Treasonous Practices and Seditious Meetings Bills were open to wide interpretation and do not seem to have been popular in Scotland. Opposition organized a petitioning campaign against them and had some success. Government supporters were at pains to discredit this, writing of the Glasgow petition "that most unwarrantable means were used to procure signatures", while the signatories in Duns were derided as the "disaffected & worthless part of the community".²⁴⁵ The petitioning was undoubtedly approved of among the lower orders and this seems to have scared off some of the Whigs who might have been expected to support it.²⁴⁶ Erskine's support for the petition in Edinburgh roused the government supporters to fury²⁴⁷ and eight of the most prominent advocates called on their brethren to take the unprecedented step of ejecting him from the Deanship of the Faculty and to elect Robert Dundas, Lord Advocate, in his stead.²⁴⁸ This was duly done on 12 January 1796.²⁴⁹ George Home's opinion of the struggle gives the clearest indication of the bitterness of the times:

"I cannot be sorry for any mortification Harry Erskine may be exposed to, he most richly deserves it all, and more than he will meet with, ... he will find some to vote, and he will likewise find dumb supporters who have not impudence to give what may be held a publick recantation of the seditious principles they have boasted of with him in private ... Every man who is not now a declared and determined friend of government, is a secret enemy, or from disappointed [sic] ambition or some other cause, [is] disposed to give their countenance and protection to those who are...".²⁵⁰

For a time after this, party political resistance to the government party in Scotland weakened. United by persecution, however, the Scottish Foxites kept together waiting better fortune and taking

what limited opportunities were presented for harrying government.²⁵¹

If the political opposition in Scotland was largely neutralised in these years, it should not be thought that Dundas's management of the government interest encountered no resistance. Certainly these were good years for him. His personal interest was greatly extended in 1793 when he surprised his friends by marrying Lady Jane Hope, sister of the Earl of Hopetoun²⁵², and in 1798 his daughter Montagu married George, son of Sir Ralph Abercromby.²⁵³ In time, the combined kindred would almost ring the Firth of Forth with MPs.²⁵⁴ To his nephew, the Lord Advocate, sitting for Midlothian, Dundas would add another, William, who sat for the Anstruther Easter burghs from 1794. Added to Dundas's personal interest was his power as manager of the alliance of interests that he had built to support Pitt, and, increasingly confused with both, was his position as head of a Scots Tory party. By 1802, he could boast that his influence was not "of a nature to be dissolved by the breath of any minister".²⁵⁵ There was much truth in this but while there was an obvious decline in party based opposition, there was no halt to essentially local electoral squabbles, the resolution of which had ever been the duty of government managers in Scotland. In the 1790s, Dundas was not always tactful in this work. In part this must have reflected the numerous calls on his attention as a cabinet minister but it was probably also a sign of the extent to which he could use the power he derived as a British minister to lord it over the Scots political nation. The "Dundassian Domination" was not merely

seen as the repression of the lower orders; it also involved the continuing activity of Dundas as government manager, channelling the electoral activities of the nobles and gentry. The sullen resentment at his activities prior to the war persisted and this in part explains the continuing latent anti-government sentiment noted above. Even a government supporter, Lord Fife could be driven to distraction:

"I wonder the country does not see how much it is in their interest to support independency... Mr. D--s wants to put down every independent man, and to anihalate [sic] that character as much as possible...".²⁵⁶

The North East was indeed more tranquil in these years than it had been, but there were still undercurrents of unrest. In early 1793, Dundas hoped to appoint Sir James Grant as Cashier of Excise and to place William Grant of Beldornie in his stead as MP for Banffshire. This was complicated by the appearance of other candidates, including Colonel Patrick Duff of Carnousie, a man not well affected to Dundas,²⁵⁷ David McDowall Grant, brother of McDowall of Garthland, and Lord Fife's son, Sir James Duff.²⁵⁸ Fife solicited Dundas's support but received a frosty reply reminding him of the British peerage granted by government, and hinting at his ingratitude.²⁵⁹ This only encouraged Fife to contemplate flying in Dundas's face²⁶⁰ and the potential for a bruising election probably explains why Sir James Grant did not resign.²⁶¹ The animosity between Dundas and Fife over this business continued for months.²⁶²

In 1794, in Morayshire, Dundas's ire was raised by Alexander Cumming Gordon of Altyre who was encouraged by the illness of the

sitting member, Lewis Grant, and by rumours of a dissolution, to offer himself as a candidate for election.²⁶³ He readily obtained the support of the Grants²⁶⁴ but while there was no question of his loyalty to government,²⁶⁵ Dundas's own wish was to forward the cause of Alexander Brodie who had recently allied with Lord Fife.²⁶⁶ He was annoyed that Altyre had not consulted him before announcing his candidacy and he was alarmed at the potential damage to the lattice of alliances he had constructed in the North East. Alexander Brodie thought likewise:

"The solicitude you have shewn to secure the quiet of the Northern Districts in particular, and the favours you have bestowed for the purposes of conciliation, gave you every title to expect that no measures would have been adopted here, without your sanction, far less without your previous information".²⁶⁷

In fact, the anticipated vacancy did not appear²⁶⁸ but the atmosphere of a contest dragged on. Perhaps the major concern for Dundas was that Altyre had the support of the Grants, Grant of Ballindalloch advising Dundas not to support Brodie.²⁶⁹ It was a forlorn hope. The Grants were in the weaker position,²⁷⁰ though Dundas probably saw them more as a nuisance in their actions than as enemies. It certainly did not alter his support for them in Banffshire. A voting list of mid-1795 suggested Brodie would win²⁷¹ but Altyre was ultimately persuaded to stand down in 1796 by Dundas's exerting influence through Sir James Grant.²⁷²

If Morayshire was in a ferment, Banffshire was little better. By early 1795, Fife and Dundas were reconciled but Sir James Grant's resignation to take up his excise office posed problems. Numerous freeholders, angry at the perceived attempt by Fife and

Dundas to foist William Grant on them, had formed the Banffshire Association, avowedly to curtail Fife's power.²⁷³ They backed McDowall Grant at the by-election against Duff of Carnousie, who was again standing.²⁷⁴ Fife initially proposed his son, but reluctantly fell in behind McDowall, stating to Dundas that "Col[.] Duff professes his intention to oppose you, especially by his consequence in the East India House...".²⁷⁵ Dundas himself took no part in the election.²⁷⁶ McDowall Grant was narrowly returned but Fife warned that the real motive of the Banffshire Association was to oppose Dundas and anybody he supported.²⁷⁷ Dundas in fact was resolved to advance William Grant at the general election and by October he had the whole-hearted support of Fife, convinced that the Association was crumbling. The result was a comfortable win for Grant in June 1796.²⁷⁸

This was the high point of Dundas's relationship with Fife, a reconciliation that had much to do with the latter's wish to have his British peerage extended to his nephews. In 1797 he complained that Pitt ignored his claims²⁷⁹ and in 1800 an attempt to interest Dundas in seating James Duff for Banffshire was bluntly rebuffed.²⁸⁰ He persisted in advancing Duff and in May, in response to a further letter about his peerage, Dundas harshly advised him that all future requests for favours should be directed to Pitt or to the appropriate government department.²⁸¹ Within weeks Fife seems to have been involved in a canvass against the sitting member for Aberdeenshire, Ferguson of Pitfour.²⁸² Henceforth, his association with Dundas, although not with Pitt, was over.²⁸³ This caused Dundas little concern. By 1800, Fife was blind and his influence was much

reduced from its former situation.²⁸⁴

The South West of Scotland and its politics bears some comparison with the North East in these years. Here the Earl of Galloway, continuing his pursuit of a British peerage, remained loyal to government and in September 1793 even discussed plans to elect Dundas's son Robert for Kirkcudbrightshire.²⁸⁵ Dundas's relationship with Galloway remained smooth until late 1794, when Lord Garlies, the Earl's son, without consulting his father, supported Wilberforce's call for peace talks.²⁸⁶ Galloway was unconnected with this action but he would blame it for Dundas's subsequent ill-disposition to him.²⁸⁷

The death in December 1794 of Alexander Stewart, member for Kirkcudbrightshire, found Dundas with no engagements. The Lord Advocate favoured one candidate, Patrick Heron of Heron and he soon had Dundas's support.²⁸⁸ Dundas would later write that he took part "contrary to my intention" but he nowhere explained why.²⁸⁹ Galloway supported Thomas Gordon of Balmaghie, while Richard Oswald of Auchencruive and Dunbar Douglas, a son of Lord Selkirk, completed the field. Heron was able to tap the resentments felt by other freeholders against Galloway's influence, but Oswald also drew support from this and it was crucial to get him to stand aside.²⁹⁰ Galloway's people obtained the election writ, and so could determine the polling day, but Heron, Oswald and Douglas ultimately came to an arrangement whereby Heron stood as sole candidate for those opposed to Galloway.²⁹¹ This gave him the victory in March, and the independent freeholders were exultant:

"...we compleatly [sic] defeated the Galloway & Broughton or opposition interest ... which was the object you [Dundas] wished. I trust the independent gentlemen now fairly emancipated from a tedious thraldom will be able to preserve their independence".²⁹²

On an overview, it is tempting to conclude that Dundas had decided to participate in the clipping of Galloway's wings by exploiting existing local tensions.²⁹³ In May, Galloway, declaring friendship to Pitt and Dundas, again pressed for a British peerage²⁹⁴ and this objective almost certainly explains his tamely swallowing the insult involved in Dundas's support for Heron. In March 1796, Galloway again asked for support from Dundas for his candidate to oppose Heron's re-election. Dundas declined²⁹⁵ and Galloway knuckled under:

"As I could not have the good fortune, on this occasion, to have your support in the Stewartry I gave M^r Heron no trouble, ... when you consider, we have been lairds there, since the twelve hundred [sic], you will easily believe, I hope to be more fortunate, or at least my family[,] on a future occasion".²⁹⁶

It was an illusory grace. When he finally received his British peerage in 1796 his attitude changed and in terms of what he had had to endure from Dundas it is hard to blame him. Their relationship blew hot and cold²⁹⁷ and in September 1800 when Dundas was advised that one of Galloway's sons was to contest Kirkcudbright, he sent an unequivocal letter of support for Heron's canvass.²⁹⁸ Galloway's support for Pitt would continue, but, like Lord Fife, his association with Dundas was over.

In the years 1795-6 two elections engaged Dundas's attention more than any others, those for East Lothian and for Angus. Both demonstrated aspects of his grip on the electoral system.

The East Lothian by-election of November 1795 was caused by the appointment of the MP, John Hamilton of Pencaitland to public office.²⁹⁹ Dundas had not adequately prepared the ground and would later say that he would have preferred to have seen his in-law Robert Colt elected to the county.³⁰⁰ He had ignored rumours of an intended opposition³⁰¹ and seems to have been genuinely surprised when the Marquis of Tweeddale persuaded Robert Baird of Newbyth - a relative oddly enough, both of Dundas and Tweeddale - to stand.³⁰² Both Baird and Tweeddale professed loyalty to government³⁰³ but Dundas's anger at being pre-empted in a county where he had a considerable personal interest, was made plain to Baird:

"Perhaps it may be thought that the representation of any particular county or borough [sic] may not be of much personal consequence to me; but when one finds himself in possession of an interest founded partly on private friendship, partly on family connections, partly on the gratitude of friends whom he has had it in his power to oblige, and partly, I flatter myself, on grounds of a still more public nature, he is not fond of allowing it to be frittered away without his own concurrence".³⁰⁴

Tweeddale received a similar scolding³⁰⁵ and Dundas, in order to protect his own interest, was precipitated into supporting the candidacy of Captain Hew Hamilton Dalrymple of North Berwick who had long coveted the seat.³⁰⁶

Not all the aspects of the dispute are clear. Dundas saw it as the protection of his personal interest by means of the influence he could utilise as manager for Scotland. Tweeddale was quite open in saying he wished to reassert his family interest.³⁰⁷ Although there is no clear evidence, it is possible that Tweeddale, as one of the Portlandites who had come over to government, was

trying to assert a claim to a share of local power within the new arrangement of Scottish politics. If so, his awakening was rude.³⁰⁸ The motives of others are a little clearer, and Dundas was driven to fury by the support Baird enjoyed from George Buchan-Hepburn. An advocate, a fellow student and friend of Dundas, he had been angling for a judgeship for years and Dundas hinted at dark motives in his conduct.³⁰⁹

Both sides canvassed through the Summer³¹⁰ and by late June, Dalrymple was confident enough to reject a compromise proposed by Baird.³¹¹ By then, Dundas probably had his own plans, which involved the seat for the Lauder Burghs, already promised to the Dalrymples through a quite separate pact with the Lauderdale family.³¹² By September, he was negotiating with Lord Elcho for his influence in the Burghs³¹³ and Robert Dundas met Tweeddale and Buchan-Hepburn to offer a compromise: Dalrymple would sit for the county with the support of Baird and friends, Baird would sit for the Burghs, with the support of Dalrymple and Dundas.³¹⁴ After some debate, the deal was agreed on 30 September.³¹⁵ Dundas wrote a conciliatory letter to Tweeddale, tactfully referring to their "misunderstanding" and approving the settlement.³¹⁶ Buchan-Hepburn was also mightily relieved and rejoiced to Robert Dundas "that we are all one man[']s bairns again".³¹⁷ Dundas noted "that if he had formed a conspiracy, he has speedily repented of it"³¹⁸ but local gossip was less kind about him.³¹⁹

If the confusion in East Lothian was partly due to Dundas's mishandling, the same cannot be said for the struggle for Angus in 1795-6, a contest that demonstrated both the limits of the truce

between the Scots Pittites and their former enemies, and the limits of government power in local elections.³²⁰ The member in 1795 was David Scott of Dunninald, the India Company director and a close ally of Dundas.³²¹ Mainly London-resident, Scott dealt with the county through Sir David Carnegie, formerly an opponent, but more recently an adherent of government. Tension existed between the two, however, and by December 1793 they were no longer friends.³²² Scott, who should have been on his guard, continued to entrust his local political business to Carnegie, believing that he could derive protection from the latter's wish to stay in Dundas's good graces.³²³ At the same time he did nothing to antagonise him, bending backwards to accommodate Carnegie's wishes in an exceedingly difficult and embarrassing church presentation dispute of early 1794.³²⁴ In the light of this, it is easy to understand Scott's anger and surprise on learning in mid-1795 that Carnegie was canvassing the county against him. Dundas threw all his support into Scott's scales³²⁵ but Scott quickly found that Carnegie had already secured a majority of the voters. Some had gone with Carnegie believing that he stood with Scott's approval, others were dissatisfied with the administration of county affairs and yet others deserted Scott "in a manner too infamous to describe", despite past obligations.³²⁶ The organising and choosing of officers for the Angus Fencibles had caused anger among the freeholders³²⁷ and it was in vain that Scott protested that it was his opponents, when acting as his local agents, who had organised the regiment.³²⁸

Scott had undoubtedly mishandled his political concerns in the county but his plight cannot be blamed entirely on mismanagement. A friend, Lord Douglas, wrote of Scott's being "tricked" and of lies against him,³²⁹ while it is equally clear that he was abandoned by several who owed him better.³³⁰ It was with justice that he could moan that "Everyone that deserts my cause wishes to absolve from all obligation".³³¹ Angus had always had a strong group opposed to Dundas and there is little doubt that in attacking Scott they were also asserting the county's independence of government interference. It was also a "safe" protest, since Carnegie was himself a government supporter.³³² Dundas was enraged and would later write that "The pictures of ingratitude which that county has exhibited are not to be paralleled [sic], even in all my political experience".³³³

The counter-attack against Carnegie waxed and waned. Neither as an individual nor as government manager did Dundas have much influence in the county but he did make limited inroads on Carnegie's support.³³⁴ In late August, Lord Douglas was optimistic of Scott's success³³⁵ but Scott was less so and his mind was turning to an unusual stratagem. Soundings had convinced him that many declared for Carnegie were embarrassed at the deceptions he had practised on them. If Scott resigned immediately, causing a by-election, some who would vote for Carnegie, having fulfilled their promises, would support Scott at a later general election.³³⁶ By late September, the Advocate thought it his only hope and subsequent canvassing seemed to confirm this.³³⁷ Early in the

New Year he resigned his seat. In fact the April by-election returned William Maule. Carnegie did not stand, having divined Scott's plan and by this device retained the promises of support given earlier. He took full advantage of them at the general election in July, which Scott, with little chance of winning, did not contest.³³⁸ Carnegie supported government "from principle & conviction"³³⁹ but Dundas could never forgive him the trouble and humiliation he had caused.³⁴⁰ Angus had been left in turmoil³⁴¹ but the damage spread further. In order to keep Scott in parliament, Dundas arranged for him to be elected for the Perth Burghs in April 1796, within days of his resigning the Angus seat.³⁴² The sitting member for the Burghs was Admiral George Murray, brother to the Duke of Atholl. Atholl's concern in the towns had already waned³⁴³ and government itself had acquired a considerable influence in Cupar.³⁴⁴ This was supposedly to be used by Dundas to help the Earl of Breadalbane elect General Alexander Campbell of Monzie³⁴⁵ but by November 1795 Dundas knew privately that the Burghs inclined to offer their seat to Scott, whose powers of patronage were well known.³⁴⁶ Campbell went abroad in early 1796, confident of Dundas's support, but he had no sooner gone than Dundas played a hidden card. Admiral Murray had given him a letter of resignation to be used as he saw fit³⁴⁷ and Dundas now published this, vacating the seat. Scott promptly declared his candidacy and, dispensing much largesse, easily won the by-election.³⁴⁸ Atholl, uninformed of Dundas's intentions, was furious.³⁴⁹ Breadalbane was also angry and decided to press Campbell's candidacy at the general election. It is hard to excuse Dundas's conduct. He could see

Campbell was likely to lose in any struggle with Scott³⁵⁰ but his desire to return his friend led him into actions that were at best insensitive, at worst ruthless. This was a domineering manager in action and it is hard not to sympathise with Atholl who had to add this bruise to the browbeating given to him by Dundas over the Perthshire election of 1794.³⁵¹ Fortunately for government, he suffered in silence.

The general election of 1796 set the seal to the developments in Scottish politics of the three previous years. Dundas had promised his London allies to try and bring South a unanimous support for Pitt³⁵² and to Lord Hobart he gave an extraordinary insight into his objectives:

"...it appeared to me, upon a full review of the subject, that if I came to Scotland and exerted myself throughly [sic], I might be able to prevent the return of any one member for Scotland, hostile to Government. The thing has never happened since the Union, and the temptation was strong to make the experiment. I am of course very busy, and it is my opinion, at present, that the whole 45 commoners, and the whole 16 peers will be warmly in support of the persons and principles of the present administration".³⁵³

We have discussed the peerage election above, and the commons elections were held in the same atmosphere of co-operation from the Portlandites and of suspicion towards any opposition to government. Dundas reaped the full benefit of this in his managerial role and there were only four contests,³⁵⁴ a striking change from 1790.

The North East exhibited the same tranquillity as it had done in 1790 and the ring of alliances conceived prior to that election was not ruptured by recent difficulties in Moray and Banffshire.³⁵⁵ In Inverness-shire, the election of Simon Fraser of Lovat, "a decided friend to the present administration", removed the detested

Norman Macleod. Dundas had materially contributed to this.³⁵⁶
 In Angus, he abandoned opposition to Carnegie as a lost cause but the Perth Burghs with their contest between two government supporters caused him trouble. Dundas tried and failed to press compromise on David Scott and it was ultimately the intercession of the Earl of Kinnoull, a Portlandite friend to both Dundas and Breadalbane, that persuaded the latter to withdraw General Campbell's candidacy.³⁵⁷

There was no contest in Fife, where Dundas had a personal interest, but the result was not entirely to his liking. The sitting member, Colonel Wemyss, had arranged to stand down in favour of his brother-in-law, Sir William Erskine but only later did Dundas give his support to this move and initially he did not approve of it. Later he would say that it was only "by my favour" that Erskine was elected at all.³⁵⁸ A threatened contest in Clackmannanshire, which boded very ill for Dundas's friend Sir Ralph Abercromby, did not materialise.³⁵⁹ In Stirlingshire, Montrose brought forward the Portlandite Sir George Keith Elphinstone with Dundas's blessing,³⁶⁰ while in the Stirling Burghs Cochrane Johnstone, a Hopetoun relative, beat off a strong challenge from the Whig Sir John Henderson.

Dundas had most of his problems in the South. Sir Gilbert Elliot wished to stand for Roxburghshire and instructed a relative to begin canvassing in his absence. Without clear information about the local dispositions, the Lord Advocate approved this but it soon became clear that the Dukes of Buccleuch - who disliked Elliot - and Roxburghe had joined to advance Sir George Douglas.³⁶² The persuasion of Portland and others ended Elliot's candidacy.³⁶³

In Berwickshire, Patrick Home the sitting member had long decided to resign and George Home advised Dundas to support Baillie of Mellerstain in his stead. Privately, Home was conscious that Dundas favoured Sir Alexander Don - an opposition supporter, oddly enough - and Don began a canvass in January 1796.³⁶⁴ Dundas in fact put his weight behind Baillie who ultimately succeeded. There was little or no party political content to what was essentially a struggle between local factions.³⁶⁵

In the South West, Dundas had hoped to seat his secretary, William Garthshore, in the Dumfries Burghs and it seems that he and Queensberry were not on the best of terms. Dundas indeed was receiving advice as to how the Duke might be pressured into such a deal and he enjoyed the support of the Bushby family who had lately fallen out with Queensberry. In the end a deal was reached whereby Dundas continued his support for Sir Robert Lawrie in Dumfriesshire while the Duke supported Dundas's brother-in-law Alexander Hope in the Burghs.³⁶⁶ The retiral of Sir Adam Fergusson from his Ayrshire seat caused a contest, again between two government supporters. Colonel Hugh Montgomerie, backed by Eglinton, had obtained a provisional promise of support from Dundas in November 1795. Unfortunately Colonel William Fullarton had also gained the impression that he might expect government countenance and he took the field.³⁶⁷ The resulting struggle was in many ways a reflection of older Ayrshire rivalries, with Cassillis - currently a government supporter - backing Fullarton and the latter asserting that Dundas took no concern in the contest.³⁶⁸ After some anxiety for the Lord Advocate, Montgomerie was narrowly returned, but Fullarton petitioned.³⁶⁹

Overall, Dundas could be well pleased with the elections and the most recent assessment of them has concluded that all but two of the MPs could be reckoned government supporters.³⁷⁰ In fact one of them, Sir James St Clair Erskine, was abroad until 1799, and however Dundas might view Sir David Carnegie, he claimed to be a government supporter. The passage of time resolved two problems. The death of Eglinton later in 1796 and the succession of Colonel Montgomerie vacated Ayrshire. Colonel Fullarton was seated at the by-election.³⁷¹ More embarrassing for Dundas was the situation of General Campbell of Monzie, loser in the Perth Burghs. He returned from service abroad, furious that Dundas's promises to seat him had come to nought. Fortunately the elevation of John Anstruther to an Indian judgeship opened the Anstruther Easter burghs to him and Dundas put his support behind Campbell's return.³⁷²

Almost as soon as the elections were over, the government was facing a prolonged crisis, the worst of the war.³⁷³ Secure in her colonies, Britain had little immediate hope of influencing events in Europe. There was every reason to fear the growing radical underground in Ireland, as well as the effect on the British economy of financing the war.³⁷⁴ In October, Spain's entry to the conflict on the French side presented the serious threat of invasion and this would continue well into 1797. In February, the Bank of England had to suspend the convertibility of its notes in response to the panic caused by a French incursion and from April to June a wave of mutinies swept through the navy.

In July, a divided Cabinet sent Lord Malmesbury to France to attempt peace negotiations and Dundas felt that if honourable terms could not be obtained, the Pitt administration should retire. Both Pitt and Dundas were in any case at loggerheads with Grenville. They expected that he might split with them and outline plans were laid for Dundas to be raised to the House of Lords to lead the government party there, should the need arise.³⁷⁵ In fact the peace negotiations proved abortive and the government soldiered on. Its internal disputes, and the differences between Dundas and Grenville, would be a continuing theme.

In this desperate year there were several contradictory streams in Scots politics. A banking crisis, similar to that in England, precipitated by the revelation of the Midlothian Lieutenancy's preparations to counter invasion, led the Scottish banks to suspend specie payments.³⁷⁶ Nonetheless, the ruling class held its nerve and remained largely loyal to Pitt. In March, the Foxite opposition had organized a petitioning campaign calling for the dismissal of Pitt as a first step to opening peace negotiations. This seems to have been popular among the lower orders³⁷⁷ but the government fought back and the Advocate, Buccleuch and Charles Hope helped organize counter-petitions from the counties, burghs and other bodies in Scotland. They had much success.³⁷⁸ There were also the first signs that the lower orders might be turning to support the war. The invasion scare had led government to encourage a new wave of volunteer recruiting and this led to a fundamental change in the social composition of the force. The

war, if not truly popular, was now seen as a struggle against French despotism, and the idea of serving became more widely acceptable.³⁷⁹ By August 1800, Scotland had a nominal establishment of 32,208 infantry and cavalry volunteers, although in practice the real force at any one time was about 20,000.³⁸⁰

This situation was not universally welcomed:

"The Royal Edinburgh Volunteers were an armed aristocracy, who have done infinite service to the country: the corps now forming in all the Boroughs [sic], are a promiscuous armed democracy. From what I see and hear, I am convinced they have a jacobinical tendency, and may, when this temporary alarm is over, be attended with very serious consequences".³⁸¹

As a force to combat invasion, the volunteers had very serious shortcomings. They were commonly tied to a particular locality by their terms of service and their lack of thorough training raised serious doubts about their military usefulness. Added to this was the more general problem of recruiting in Scotland. Four years of war had drained the country of men willing to serve in fencible and regular units.³⁸² After a brief but serious flirtation with the extraordinary plan of Captain E. MacPherson to raise a series of units based on the highland clans and led by their chiefs,³⁸³ government attempted to raise a home defence force by compulsion. It led to one of the worst shocks of the period for the Scottish elite.

In November 1796, Dundas had been sympathetic to a call by the Duke of Montrose for the formation of a Scottish militia³⁸⁴ but the matter had stood over until the New Year, when Buccleuch, the Lord Advocate, Lord Adam Gordon (the Commander-in-Chief in Scotland)

and several others met to discuss national defence. They felt that an English-style militia would be objectionable to the Scottish lower orders and would take too long to establish. Instead it was resolved to encourage the volunteers, with the startling results noted above.³⁸⁵ Over the next few weeks, several considerations operated on Dundas. Some of the Scots gentry favoured a militia as did some county meetings. So, initially, did the Lord Advocate.³⁸⁶ Buccleuch, on the other hand, while not absolutely opposed, was aware that the landowners would not wish to be bothered with organising a militia, and he feared agitating the lower orders. But even he admitted the inadequacies of the volunteers.³⁸⁷ This last point was the core of a memorandum sent by Dundas to the Advocate on 7 March, discussing the defence of Scotland. Persuaded by a "multitude of letters" from Scotland that many gentlemen now wished a militia, he looked to a force of 10-12,000 men, aged between 20 and 30, chosen by ballot. This would be deployed on the coast to repel invasion, while the volunteers would be left to keep internal order.³⁸⁸

This memorandum was considered by Lord Adam Gordon and others on 24 March at a meeting where Dundas was represented by his son and the Advocate. Both were friendly to a militia, both were "considerably staggered" by the meeting.³⁸⁹ Those present approved several of Dundas's ideas, but rejected the notion of a militia meantime. The lower ranks had "a rooted dislike" to compulsory service and it might "excite commotions". This in itself would be a distraction to the national defence and might encourage an enemy attack. Nor would it be easy to find the required officers and men.³⁹⁰

As a prediction it was astonishingly accurate but government had already made its mind up. Within days the acceptance of certain volunteer corps was suspended, an obvious first step to establishing a militia.³⁹¹ The Advocate drafted a militia bill in April, and while in May he feared opposition, it passed into law in July.³⁹² The act aimed at a force of 6000 men, aged 19 to 23, to be chosen by ballot from lists produced by parish schoolteachers.³⁹³ Even then the debate continued, with Colonel Dirom detailing objections to the measure in a pamphlet and in correspondence with Dundas.³⁹⁴

The first attempts to operate the act were every bit as unpopular as Dirom and others had warned.³⁹⁵ There was a general dislike of compulsory military service, and a fear that the militia might, like the fencibles of the mid-century, be sent overseas. The narrow age group ballotted automatically raised the chances of an individual's being chosen, and since most chosen would opt to pay a substitute, the act was in effect seen as a tax on them.³⁹⁶ The resentment caused led to a series of riots in August and September at the parish meetings called to compile lists of men for the ballot. Local volunteers and the military frequently had to intervene to restore order, and at Tranent on 29 August an English cavalry unit ran amok, slaughtering twelve people, part of a large mob protesting at attempts to commence the act. Faced with this extraordinary and frightening resistance, some elements of the ruling class panicked, calling for the act's suspension.³⁹⁷ The government and key individuals kept their nerves, however, and their motive was bluntly described by McDowall of Garthland:

"From the temper & dispositions of many of the inhabitants scattered over Scotland I consider any concession[,] however trifling[,] as a death blow to our existence".³⁹⁸

This fear of social collapse stiffened the government resolve, for having got into the mess, there was no way back.³⁹⁹ Gradually government gained the upper hand, partly by a process of delay to let people understand the act, partly by a process of progressive implementation.⁴⁰⁰ By late September, the riots were over and government could survey the wreckage. George Home was convinced that trouble would recur: "we have scotched the snake[,] we have not killed him".⁴⁰¹ Ministry were sure that the radicals were at the root of the unrest, but while individual radicals were involved, there is no evidence of a general plot.⁴⁰² George Buchan-Hepburn nonetheless trumpeted the justification for the Tranent massacre: "In short, we have great reason to thank God, all is now quiet, but our situation was, for some days critical, & the fate of Scotland hung upon our measures...".⁴⁰³

The full provisions of the act were put into effect by mid-1798 and the force ultimately had a strength of ten battalions.⁴⁰⁴ In practice they were rarely up to strength. Service was massively unpopular and it was found very difficult to complete the units.⁴⁰⁵ Nor did it prove easy to find officers.⁴⁰⁶ It is difficult to argue that the militia was worth the effort put into it. Popular resentment was aroused and continued⁴⁰⁷ and the contribution to national defence was marginal. The upheaval was largely attributable to Dundas, who ignored the predictions of the experts, preferring instead the advice of such as agreed with his own preconceived ideas.⁴⁰⁸ Aside from the dead of Tranent, the

other major casualty was Lord Adam Gordon, whose reputation never recovered from the panic into which the upheavals threw him. He resigned in 1798.⁴⁰⁹

The perception that the Scottish radicals were again active was one of the more unpleasant shocks for government. Largely beaten underground, they had a small presence at the riots, where a new grouping, the United Scotsmen, was clearly identified. Government had closely watched attempts by the London radicals to rekindle the Scots movement⁴¹⁰ and in late 1797, they arrested several officials of the United Scotsmen, obtaining convictions and sentences of transportation early in 1798. A mysterious organization, modelled on the Irish societies, it has left little evidence behind. Historians are agreed that they were few in number but are less unanimous about their significance.⁴¹¹ In a sense the debate is irrelevant. They were revolutionary in intent and willing to co-operate with a French invasion. This was enough for government to be worried by an organisation that it so signally failed to penetrate.⁴¹² The landed classes were again on their guard:

"... there is a considerable portion of the common people not to be depended on: Some occasion has been given, & much advantage has been taken of it, & much pains bestowed, to break their attachment to their betters, & to withdraw them from that influence and subordination on which good government depends. My great consolation is that few if any men of great property and established influence are on the revolutionary side of the question: that its success must depend upon the exertions of France..."⁴¹³

In October 1797, Duncan's victory at Camperdown lifted some of the gloom but it was not clear until well into 1798 that France had

abandoned her invasion plans. At the end of 1797, Pitt again turned to his war finances. The assessed taxes were sharply increased, annoying even his followers⁴¹⁴ and to these demands were added the request for voluntary contributions from the better off, to help pay for the war. Dundas credited Buccleuch with the notion⁴¹⁵ and it was a success from several viewpoints. A considerable sum was raised but donations also came from the lower orders who contributed their mite.⁴¹⁶ This was considered of great significance and some saw it as another sign that at last the people were coming to approve government's measures and were pledging to uphold the constitution.⁴¹⁷

Overall, the confidence of the Scottish ruling classes survived the shocks of 1797 and by May 1798 there were clear signs of optimism about the future.⁴¹⁸ The secession of the Foxites from parliament in Summer 1797 meant that for the next three years there was little serious parliamentary opposition to Pitt, and this undoubtedly made life easier for government.

Furber has written of Dundas that "signs of serious weakness in his political machine began to appear as early as 1797...".⁴¹⁹ In fact, the assertion is almost groundless and two main buttresses of the Pitt government's influence in Scotland - fear of insurrection from within, and of invasion from without - remained. Nor was there any great change in the nature of the problems facing Dundas's management of Scotland. The death of the 8th Duke of Hamilton in 1799 and the succession of the Whig 9th Duke, cost government a major support but the difficulties that Dundas had with the Earls of Fife and Galloway, described above, were of little importance.

Whatever their opinion of Dundas, their support for the King's government would continue.

The crisis of early 1797 had some effect on Scottish parliamentary politics. Sir John Sinclair, sitting for an English seat, joined a fellow exile, Sir William Pulteney, to criticize government's handling of the bank crisis in February. This led to their involvement on 9 March with 28 other MPs in an attempt to form a 'Third Party'. Their demands were for peace and retrenchment, while opposing Fox's calls for the repeal of the Treason and Sedition acts, but this independency quickly became outright opposition.⁴²⁰ As a group, they troubled government little, who blamed Sinclair's conduct upon pique at being refused a peerage or a privy councillorship. By the end of the year, the Dundases were finished with him and Pitt removed him from the Presidency of the Board of Agriculture.⁴²¹ Alexander Allardyce had some passing association with the Third Party but he did not join it.⁴²² Similarly, Colonel William Fullarton seems to have been approached. He would later detail his record of supporting government and this included a careful avoidance of Sinclair and Pulteney's orbit. By 1799, he was weary of government's repeated failure to give him military employment and permanent rank, and he wished to clarify rumours that Dundas intended an opposition to him in Ayrshire.⁴²³ His fears were groundless.

More straightforward were the problems posed to Dundas by Hew Hamilton Dalrymple, member for East Lothian. In May 1797, Dundas was aware that his loyalty was doubtful and that he was demanding a peerage for his family. Dalrymple wrote several letters showing that his continued support would depend on such a favour. Dundas

simply ignored them and an alarmed Dalrymple sought an interview. They met in July, when Dundas apparently settled the discontent by agreeing to help the family to an Irish peerage.⁴²⁴

Of the by-elections between 1796 and 1802, only one was contested, that for the Stirling Burghs in 1800, caused by the death of William Tait, a close friend of Dundas. It was won by the Hon. Alexander Cochrane, another friend of Dundas, but only after a hard contest with Sir John Henderson who stood as a government opponent. The Stirling Burghs were confirming their reputation as the most corrupt and unmanageable in Scotland.⁴²⁵ The Kincardineshire election of June 1797 had given Dundas some little trouble. Three candidates, Sir John Belsches Stuart, Lieutenant Colonel Peter Garden and Francis Russell, all stood for the vacancy caused by Barclay of Ury's death. The first two were friends to government and Dundas favoured Stuart. Russell, with the support of Maule of Panmure and Sir David Carnegie, was suspected of opposition tendencies, and he inadvertently gained the support of David Scott. This put Stuart's election in jeopardy.⁴²⁶ The issue of the election writ from London was mysteriously delayed, giving time to secure his position. On 19 May, Garden withdrew, making Stuart's election certain and Russell did not carry his opposition to a poll.⁴²⁷

The campaign had probably caused Dundas more irritation than worry.

Perhaps only one Scottish incident alarmed Dundas after 1797, the strange case of Thomas Smith. An Edinburgh baillie, he published a pamphlet in 1799 showing that the city was bankrupt. He was promptly accused of being an enemy to Dundas and was driven out of

town.⁴²⁸ Recent writing has belittled the matter⁴²⁹ but it caused much controversy. Smith denied plotting against Dundas but contemporaries were less sure. Even now it is hard to penetrate the gloom. The city had been governed for most of the 1790s by two parties led by Thomas Elder and Sir James Stirling, who took power turn and turn about at council elections every two years. By 1798, the old alliance seems to have ruptured. Stirling's retiral was apparently expected in 1796⁴³⁰ but he again tried for the provostship in 1798. In the resulting contest he and one of his supporters, Thomas Smith, were accused of hostility to Dundas, something they denied.⁴³¹ Stirling seems to have been trying to extend his personal grip on the council to "bring in a very improper set", and the struggle stretched into church patronage and revenue appointments in the city. Dundas was bluntly warned by allies that it was part of a wider plot to destroy his power in the city and the county.⁴³² Smith himself was said to aim at putting himself forward as MP for the city with the distiller, John Stein of Kilbagie, as Provost. Perhaps this was far-fetched but the Stein/Smith connection was real enough.⁴³³ By Autumn 1799, the crisis had arrived. In September, the Council split over the election of a convener and in the strange absence of any communication from Stirling, Charles Hope, William Dundas and the Lord Advocate decided to intervene. This caused resentment but it was effective and the Council was secured to the friends of Dundas and of government.⁴³⁴ Stirling's provostship came to an end in October 1800 and he never again ruled the city. The Advocate distrusted him, although

Dundas subsequently gave him favours.⁴³⁵ The full purpose of his intrigues was never clear and cannot now be divined from Dundas's papers. Smith's dismissal also allowed the continuing concealment of the burgh's financial crisis.

By late 1799, there were more pressing matters to occupy government, most particularly the serious shortage of grain.⁴³⁶ In Edinburgh oat prices rose to 37/- per boll and in February 1800, the Advocate reckoned the Scottish crop to be between 1/3 and 1/2 deficient.⁴³⁷ The situation persisted well into 1800 and renewed in intensity at the end of the year. It was only the good luck of the ruling classes that the discontent caused by this was not exploited by the radicals.⁴³⁸ Worse was to come.

Dundas had taken full advantage of the particular political conditions created by the war to extend and consolidate the power of the government party in Scotland. There was little reason to fear that anything would shake this grip. By late 1800, the radicals were largely neutralised, although this was not yet widely perceived. The common people, if grudgingly, now acquiesced in the war. Overall, it was a considerable achievement. All Dundas's activities as a war minister had brought the defeat of France no nearer, however. Britain was safe behind her navy and had acquired numerous colonies but by late 1800 she could only contemplate a history of failure in her attempts to influence the war in Europe. Ministers were deeply divided between Grenville and Windham, who argued for a continental campaign and those with Dundas who pursued a policy of clipping off French colonies. Dundas himself was near the end of his

tether, physically and mentally drained, the victim of successive illnesses. He had tried to resign three times, in February 1798, November 1799 and April 1800. On each occasion, Pitt dissuaded him.⁴³⁹ In September 1800, he even differed with Pitt over the offer of a naval armistice to France. So disgusted was he, that he considered retreating to Scotland.⁴⁴⁰ The Egyptian expedition, planned at the end of 1800, promised success only over the horizon. It was but too apparent to a tired Cabinet and a weary country, that after eight years this was stalemate, a war without victory.

CHAPTER THREE: REFERENCES

1. SRA, Campbell of Succoth, TD219/6/287, Donald Campbell [of Barbreck] to Ilay Campbell, Lord President, 20 April 1798.
2. J.D. Brims, 'The Scottish Democratic Movement in the Age of The French Revolution', (Edinburgh University, Ph.D, 1983), pp. 170-5.
3. Ibid, pp. 180, 198.
4. Ibid, pp. 119-216, 232-41, 247-8.
5. Ibid, pp. 259-68.
6. Ibid, pp. 268-85. Curiously enough, Dundas was well aware that the radicals strove to avoid involvement in the rioting. He did not "think the better of their proceedings on that account...": Pitt papers, PRO 30/8/157, ff. 186-93, Dundas to Pitt, 30 November [1792].
7. Brims, op.cit, pp. 298-316, is a detailed account of this, the 'First Convention'.
8. Brims, op.cit, p. 269.
9. Sir William Maxwell to Buccleuch, 19 November 1792. The letter is well known, and exists in a copy form in SRO, Home Office Correspondence (Scotland), RH2/4/65, ff. 54-7. I have used the original at SRO, Buccleuch, GD224/31/19/7/50.
10. Pitt papers, PRO 30/8/169, ff. 211-4, Sir William Pulteney MP to Henry Dundas, 16 November 1792.
11. Pitt papers, PRO 30/8/157, ff. 144-53, Dundas to Pitt, 12 November 1792. Dundas had finished concerting his plans, but his Scots colleagues and officials were loath to let him return South. Meikle, op.cit, p. 103, quoting Home Office Correspondence (Scotland).
12. The preceding section is based on Pitt papers, PRO 30/8/157, ff. 144-53, 154-61, 186-93, letters of Dundas to Pitt, 12, 22 and 30 November 1792.
13. Brims, op.cit, p. 295.
14. The arrangement made between the Evangelicals and the Moderates is discussed in chapter five below.
15. In discussing church support for the government, Brims has however concluded that notwithstanding contemporary opinion, the established clergy's activities in combating disaffection had in fact only a limited impact: Brims, op.cit, pp. 352-60.

16. NLS, Melville, Ms 8, ff. 203-6, Robert Dundas, Lord Chief Baron to Robert S. Dundas, 14 November 1807. This topic will be discussed further in chapter five.
17. As early as August 1792, a rumour of the coal duties being repealed led Lady Jane Belsches of Fettercairn to congratulate Dundas: NLS, Melville, Ms 1072, ff. 163-4, Lady J. Belsches to Dundas, 24 August 1792. Sir John Sinclair sent Dundas a note in early 1793 of some 60 parishes listed in the first four volumes of the Statistical Account where the coal tax was complained of. Dundas's intended repeal would "preserve you forever in the memory of all the sans culottes in Scotland": NLS, Melville, Ms 641, ff. 274-7, Sinclair to Dundas [? January 1793]. The bill's popularity was undoubted: see ibid, ff. 177-8, Sir John Sinclair to Dundas, 16 March 1794: "The fact is, that the coal bill &c &c has made you so popular in the Highlands..."; see also, SRO, Melville, GD51/7/4/25, Patrick Heron of Heron to Dundas, 10 August 1793; NLS, Melville, Ms 1058, ff. 25-8, copy address of freeholders and others of Angus to Dundas, 16 August 1793; ibid, ff. 31-2, Robert Aikin, Wigton to [Dundas], 15 October 1793: "This country has received the greatest mark of your attention & favour by getting coals imported free of duty...". A later comment is provided by Mrs Margaret Drummond, Drumtochty, writing to Melville, 28 May [1806]: "taking the duty off the coals, and many other acts of yours, in attending to the interests of the North, will long be gratefully remembered".: SRO, Melville, GD51/1/198/12/8. There was some opposition to the act from the Fife coal owners and from the English interests: see EUL, Laing Mss, Div. II, 500, Sir John Inglis to Robert Dundas, Lord Advocate, 22 March 1793; SRO, Home of Wedderburn, GD267/1/17/2, George Home to Patrick Home MP, 20 February 1793.
18. NLS, Melville, Ms 6, ff. 59-60, Robert Dundas, Lord Advocate to Henry Dundas, 25 December 1792.
19. Ann Arbor, Melville papers, Sir William Pulteney MP to Dundas, 30 November 1792. Sir William reported that the Lord Advocate knew none who were adverse to a militia. See also, ibid, letter of same to same, 9 January 1793; ibid, Sir James Grant of Grant to Dundas, 18 January 1793; SRO, Melville, GD51/1/821, Lord Douglas to [Dundas], 16 January 1793; Pitt papers, PRO 30/8/107, ff. 38-9, Lord Aberdeen to [Pitt], 24 June 1793.
20. Dundas received a blunt letter on the unpopularity of any militia bill in Scotland, written by a Selkirk schoolmaster: SRO, Melville, GD51/1/822, John Mack to Dundas, 25 January 1793. Other soundings raised the question of arming the radicals: NLS, Melville, Ms 14838, ff. 88-91, George Paterson of Castlehuntly to Robert Dundas, Lord Advocate, 21 January 1793. George Home was conscious of both sides of the problem: "It might be as well for this part of the kingdom if the militia could be dispensed with, but the peace establishment of the army is so low, the hazard arising from the want of sufficient armed force in this country was very perceptible in the beginning of our late troubles...": SRO, Home of Wedderburn, GD267/25/1, George Home to Patrick Home MP, 20 January 1793.

21. Brims, op.cit, pp. 341-9.
22. Ibid, pp. 322-39.
23. SRO, Melville, GD51/5/7/1, John Dunlop to Dundas, 11 December 1792.
24. SRO, Home of Wedderburn, GD267/1/5/13, George Home to Patrick Home MP, 15 December 1792; ibid, GD267/20/23/38, same to same, 5 February 1793. The "murmurings" stemmed from an unwillingness by some to take any notice of ministers or of the execution of Louis XVI in the resolutions. It is another indication of the extent to which some were not yet willing to equate a defence of the constitution with a defence of Pitt and Dundas's government.
25. The section that follows is underpinned by the discussion of loyalist intimidation given by Brims, op.cit, pp. 360-5, 372-89.
26. SRO, Melville, GD51/6/242, General William Gordon of Fyvie to Henry Dundas, 16 January 1796, shows the intimidation techniques continuing over a long period. Gordon had tried to identify the dissatisfied and discontented on his estate, "as a good many of my leases being expired, if I had found any of that description; I should have got rid of them immediately;...".
27. SRO, Melville, GD51/5/7/1, John Dunlop to Dundas, 11 December 1792.
28. NLS, Melville, Ms 6, ff. 59-60, Robert Dundas, Lord Advocate to Henry Dundas, 25 December 1792. Sir William Maxwell was also regaining his nerve. On 17 December, he wrote to Buccleuch, "I would gladly hope that all danger of insurrections and rebellion is now over, and that the seditious are completely overawed, by the spirit that has at length burst forth amongst all men of property, character, & principle, for the defence of their lives & propertys, and the support of the constitution, against levellers and Republicans ...": SRO, Buccleuch, GD224/31/19/7/51.
29. SRO, Home of Wedderburn, GD267/25/1, George Home to Patrick Home MP, 20 January 1793. Similar sentiments were voiced by Sir William Pulteney. While pleased at Dundas's optimism, he warned, "I am far from being of opinion, that the wild ideas excited in the lowest classes, will be soon eradicated. The doctrines held out to them, are so flattering to their pride, & they are so little capable of looking to all the consequences, that government will do well, to consider the evil as deep rooted, and that many years of continued attention, & systematic exertion, will hardly be sufficient to bring us back to where we were[.]": Ann Arbor, Melville papers, Sir William Pulteney MP to Dundas, 1 January 1793. Optimism can be seen again in March: HMC Laing, II, pp. 557-8, W. Macdonald to Robert Dundas, Lord Advocate, 19 March 1793.

30. Brims, op.cit, p.343, instances the case of Laurence Hill, W.S., author of the Political State of Scotland, 1788, who clearly moved to the government side in December 1792.
31. F. O'Gorman, The Whig Party and the French Revolution (London, 1967), pp. 111-112, discusses the Whigs' attitude to Pitt's policy over the Winter 1792-3.
32. For Bute, see Brims, op.cit, p. 291. Also NUL, Portland, PwF 8619, Bute to Portland, 20 January 1793: "A minister without abilities may govern by finesse, as in the present instance, during peaceable times: but it will not do, in the moment of danger, especially when such monstrous ignorance of foreign affairs is to be superadded... Still, still, let them tumble from the voice of the nation; it ill becomes any man to thwart measures brought forward for the safety of the country; and thus far I incline to support".
33. NLS, Melville, Ms 20, secretary's minute book, entry for 19 February 1793. Fullarton sent a similar avowal to Pitt: Pitt papers, PRO 30/8/137, ff. 148-9, Fullarton to Pitt, 6 February 1793.
34. EUL, Laing Mss, Div. II, 500, Alexander Fergusson to Robert Dundas, Lord Advocate, 16 March 1793: "... I think it is incumbent upon every man who regards the welfare of his country to stand forward & contribute his mite to strengthen the hands of government at present".
35. SRO, Melville, GD51/6/958, Sir David Carnegie to [?Dundas], 16 December 1793.
36. Queensberry's loyalties are hard to determine for some time after 1789, but his MP in the Linlithgow Burghs, William Grieve, came to support administration soon after the war began: SRO, Melville, GD51/6/945/1, Sir James Steuart Denham MP to Dundas, 17 July 1793.
37. See for instance, SRO, Home of Wedderburn, GD267/1/16/14, George Home to Patrick Home MP, 21 December 1792, discussing Fox's opinions: "They must make all moderate and thinking men who wish to be of no party, call his sincerity in question, and dispose them to wish success to an administration to which he is so inimical...". For the problems of Whig unity at this period and the divide between the Foxites and the conservative Whigs, see O'Gorman, op.cit, pp. 70-173.
38. The negotiations were in part conducted by Loughborough's fellow Scot, Dundas, and they had aimed at carrying off as many Whigs to the government camp as possible, even including Portland. The correspondence between Dundas and Loughborough at this period can be seen in SRO, Melville, GD51/1/17/1-13 and GD51/1/20/1-9.
39. For a list of the 'Third Party', see O'Gorman, op.cit, pp. 250-1.

40. NUL, Portland, PwF 47, William Adam to Portland, 27 July 1793. Adam had been apprehensive that Seaforth would not approve Fox's recent conduct but had found that the differences were not yet unbridgeable. See also, ibid, PwF 8619, Bute to Portland, 20 January 1793: "Oh! What a moment for M^r[.] Fox, yet I fear the voice of the Kingdom is against him. If the words put into his mouth be true I know not what to think. Push me against the wall, and ask me whether I am a republican or a royalist, I may say a republican. Whether I prefer Thomas Paine, or Pitt, I say Thomas Paine". The position of Thomas Graham of Balgowan is also indicative: Thorne, HP, II, 564.
41. The number of supporters for county reform even at this late date seriously worried the Advocate and this is probably the real reason why he felt obliged to attend the July (above, chapter two) and December meetings. This apparent countenance of reform would cause him embarrassment later: see Meikle, op.cit, p. 127. His motives were misunderstood even by some of his supporters; "I was astonished to hear that Lord Advocate supports these alterations. In the present times it appears to me to be the duty of every friend to government, to stickle obstinately against the most trifling alteration while the country is in a ferment...".: SRO, Home of Wedderburn, GD267/1/16/12, George Home to Patrick Home MP, 9 December 1792.
42. This account of the December meeting is largely from EUL, Laing Mss, Div. II, 500, Archibald Campbell to Robert Dundas, Lord Advocate, 5 June 1793, and from George Home's letter, footnote 41.
43. EUL, Laing Mss, Div. II, 500, Sir John Inglis to Robert Dundas, Lord Advocate, 10 March 1793; Meikle, op.cit, pp. 127-8.
44. EUL, Laing Mss, Div. II, 500, David Johnston to Robert Dundas, Lord Advocate, 28 April 1793, recounts how Johnston, at their request, advised several small heritors not to attend the Fife meeting. In the end it was attended by a total of 45 people: EUL, Laing Mss, Div. II, 500, Niel Fergusson to Robert Dundas, Lord Advocate, 1 May 1793.
45. The Berwickshire meeting, 'not very numerous', disapproved of naming delegates as inexpedient and unconstitutional: EUL, Laing Mss, Div. II, 500, George Home to Robert Dundas, Lord Advocate, 3 May 1793. That for Linlithgowshire simply refused to receive that papers presented by the reformers: ibid, Ilay Ferrier to Robert Dundas, Lord Advocate, 4 May 1793.
46. Meikle, op.cit, pp. 126-7.
47. This is the conclusion reached by Brims, op.cit, pp. 407-9.
48. There are discussions of the commercial crisis of 1793 in P.K. O'Brien, 'Government Revenue, 1793-1815. A Study in Fiscal and Financial Policy in the Wars against France', (Oxford University, D.Phil, 1967), pp. 199-209; John Ehrman, The Younger Pitt [volume II] The Reluctant Transition (London, 1983), pp. 385-7; S.G. Checkland, Scottish Banking. A History, 1695-1973 (London, 1973), pp. 218-220.

49. SRO, Melville, GD51/5/638/1, John Dunlop to Dundas, 24 April 1793. See also ibid, GD51/5/364/5/2(3) and 2(1) for letters by Dunlop to Dundas of 9 and 21 April on the developing crisis.
50. SRO, Steel-Maitland, GD193/1/1, Diary of George Ramsay. See entries for 18 April, 3 and 4 May and 5-7 June 1793.
51. For Sinclair's claims to be the author of the idea see R. Mitchison, Agricultural Sir John. The Life of Sir John Sinclair of Ulbster 1754-1835 (London, 1962), pp. 137-9, and O'Brien, op.cit, p. 209. NLS, Melville, Ms 641, ff. 160-1, Sir John Sinclair to William Simpson, Cashier of Royal Bank, 2 June 1793 (copy), shows Sinclair at work diagnosing the causes of the distress.
52. The section that follows on the radicals and their activities is based primarily on Brims, op.cit, pp. 408-560 and upon Meikle, op.cit, pp. 112-53. I have generally followed the interpretations presented in the former.
53. For comments on this revival, see SRO, Melville, GD51/6/76/1, Provost Thomas Elder to Dundas, 15 October 1793; NLS, Melville, Ms 641, ff. 169-74, Sir John Sinclair to Dundas, 8 November 1793.
54. NLS, Melville, Ms 6, ff. 93-4, Robert Dundas, Lord Advocate to Henry Dundas, 30 November 1793.
55. Meikle, op.cit, pp. 150-1, quotes the Lord Advocate's retrospective opinion of Braxfield's conduct at this trial. It was not favourable.
56. The measures taken by government and its friends against the radicals are detailed in Brims, op.cit, pp. 514-7.
57. See for instance, SRO, Steel-Maitland, GD193/1/1, Diary of George Ramsay, entry for meetings[;] "they talk of arming & will demand what they conceive to be their right". This was written before the dispersal of the convention but fully represents the wary attitude of the ruling class to what was going on below.
58. They had been ordered to England but feared that this was a pretext to trick them abroad, as had been done to earlier Scottish fencible regiments.
59. NLS, Melville, Ms 6, ff. 189-90, Robert Dundas, Lord Advocate to Henry Dundas, 9 September 1794. For details of the plot, see Brims, op.cit, pp. 556-9.
60. SRO, Melville, GD51/1/624, Lord Provost Stirling to Dundas, 9 October 1794.

61. Pitt papers, PRO 30/8/157, ff. 154-61, Dundas to Pitt, 22 November 1792.
62. EUL, Laing Mss, Div. II, 500, Robert Dundas, Lord Advocate to Henry Dundas, 25 February 1794: "Set the example in London; & we shall immediately do the business here[,] which I have no doubt will produce similar associations through the larger towns".
63. EUL, Laing Mss, Div. II, 500, Lord Provost Elder, Edinburgh to Robert Dundas, Lord Advocate [n.d.: ante 25 February 1794].
64. SRO, Melville, GD51/1/888/2, Dundas to Colonel Alexander Dirom, 7 August 1797 (copy). Charles Hope, Lord Advocate, would later describe Dundas as the "parent" of the institution of volunteers in Scotland: Hope to Dundas, 21 September 1802, Ann Arbor, Melville papers.
65. A. Aspinall (ed.), The Later Correspondence of George III (Cambridge, 1968), II, p. 183, Henry Dundas to the King, and reply, 6 March 1794.
66. SRO, Home Office Correspondence (Scotland), RH2/4/216, ff. 430-2, Melville to Charles Hope, Lord Advocate, 13 July 1803 (copy). See also SRO, Bonar, MacKenzie and Kermack, GD235/15/7/41-2, Melville to Robert S. Dundas, 19 February 1808 (copy).
67. Tweeddale's appointment had followed very closely, if indeed it was not directly consequent on, an "explanation" of his political principles to Dundas: NLS, Melville, Ms 1, ff. 69-74, Dundas to Tweeddale, 23 April 1795 (copy).
68. See NLS, Melville, Ms 353, ff. 150-1, Atholl to Dundas, 22 May 1794, in which the Duke asks for information from the English law officers as to his powers and authority. For years afterwards, lord lieutenants in writing to government departments would try to use the rank to influence unrelated appointments: see Pitt papers, PRO 30/8/176, ff. 195-6, Earl of Seaforth to [?Pitt], 18 January 1800 (customs office) and NUL, Portland, PwV 108, pp. 182-3, Portland to Galloway, 25 November 1794 (copy) (a sheriffship). It did them little good.
69. SRO, Buccleuch, GD224/31/19/7/77, Baron Archibald Cockburn to Buccleuch, 30 May 1794.
70. NLS, Melville, Ms 1048, ff. 36-7, Sir William Forbes to Robert Dundas, Lord Advocate, 22 March 1794.
71. Leadership, organization and control of the volunteers were all out of the lieutenant's power (A.E. Whetstone, Scottish County Government in the Eighteenth and Nineteenth Centuries (Edinburgh, 1981), p. 146, n. 53) but it was solely through him that such units could be recommended to the government for acceptance: see NUL, Portland, PwV, pp. 143-4, Portland to F.H.Mackenzie, 20 October 1794 (copy) and NUL, Portland, PwV 111, (unpaginated), Portland to Kinnoull, 1 November 1798 (copy).

72. NLS, Melville, Ms 6, ff. 157-8, Memorandum by George Home of Branxton on raising volunteers, c. 28 February 1794; NLS, Melville, Ms 3834, f. 25, Robert Dundas, Lord Advocate to [], 4 April 1794.
73. Whetstone, op.cit, p. 146, n.57; Brims, op.cit, p. 560.
74. See for instance: NLS, Melville, Ms 6, ff. 171-2, Simon Fraser, Sheriff of Inverness to Robert Dundas, Lord Advocate, 19 August 1794; SRO, Buccleuch, GD224/31/19/7/75, Sir John Clerk to Buccleuch, 30 September 1794; NUL, Portland, PwF 3275, Alexander Dalziel to [Earl of Glencairn], 20 August 1794.
75. Whetstone, op.cit, p. 146, n.59. The 1797 Almanac represents the situation as it was in late 1796. To give some idea of the numbers involved, by October 1794 the Edinburgh volunteers numbered almost 550 men: SRO, Melville GD51/1/624, Provost Stirling to Dundas, 9 October 1794.
76. Duke University, Melville papers, Lord Fife to Dundas, 22 June 1795: "One of the best things you ever did is [sic] these volunteer corps, it not only proves a most proper defence, but has intirely [sic] put an end to these democratical principles that wer [sic] deseminated [sic] with so much industry and wickedness". SRO, Melville, GD51/1/897, George Dempster to David Scott MP, 6 January 1798 (copy): To the volunteers "in my opinion, I owe my present pleasure of writing to you from my own home, in the most perfect security of life & fortune".
77. Ann Arbor, Melville papers, Charles Hope, Lord Advocate to Dundas, 21 September 1802.
78. This cautious approach to reform is best exemplified in the manner in which the burgh reformers led by Erskine rejected an alliance with the Friends of the People; see Alexander Fergusson, The Honourable Henry Erskine Lord Advocate for Scotland (Edinburgh, 1882), pp. 330-4. In later years the Whigs would try to associate themselves with the radical struggles and the persecution that followed. See H. Cockburn, Memorials of His Time (Edinburgh, 1856), p. 83: the Whigs "were constantly and insolently reminded that the case of their brother Thomas Muir, transported for sedition, was intended for their special edification". Cockburn was of course writing of the remnant of the Scottish Whigs left after the Portlandite secession.
79. For Sempill, see Meikle, op.cit, p. 106.
80. Brims, op.cit, p.520; Thorne, HP, IV, pp. 506-7.
81. I. Christie, Wars and Revolutions, (London, 1982), pp. 217-9; B.W. Hill, British Parliamentary Parties, 1742-1832 (London, 1985), pp. 169-70.

82. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 86, Dundas to Pitt, 9 July 1794 (copy). There is another copy of this letter at SRO, Melville, GD51/1/24/1.
83. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 87, Pitt to Dundas, 9 July 1794 (copy). The original is now at SRO, Melville, GD51/1/24/2. A printed version can be seen in Lord Stanhope, Life of the Right Honourable William Pitt (4 vols., London, 1867), II, p. 253. In part it reads "I shall give up all hope of carrying on the business with comfort, and be really completely heart-broken, if you adhere to your resolution".
84. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 88, Dundas to Pitt, 9 July 1794 (copy). There is another copy at SRO, Melville, GD51/1/24/3, and it is printed in Stanhope, Life of Pitt, II, p. 254.
85. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 91, Henry Dundas to Robert Dundas, Lord Advocate, 13 July 1794.
86. The above passage is based on the account of the negotiations given by Ehrman, op.cit, pp. 410-3, and O'Gorman, op.cit, pp. 203-8. Both attribute ulterior motives to Dundas, and O'Gorman in particular is very critical of his conduct. In fact, it does not seem that any of the evidence deployed by O'Gorman justifies his statement that Dundas "had been brooding at Wimbledon and he had refused to come to town. The loss of patronage, the humiliation of losing half of one of the great government departments and, perhaps, the scanty attention which Pitt had paid to his sentiments brought him to tender his resignation". Dundas himself gave no hint of such motives in his correspondence even to his intimates and indeed seems to have expected to resign without too much difficulty. It should also be remembered that his tenure of the Home Office had always been a temporary measure. He gave a short account of the whole business to Sir Gilbert Elliot: "It has been thought expedient that during the war I should continue Secretary of State for the War Department. I am not satisfied of the necessity of the measure, and it would have been a more proud sensation to myself, if after a three years possession of the Seals during which I had the satisfaction to think I had lost no credit, I had given them up for the sake of a great publick[sic] arrangement, and had retired [sic] precisely to the state from which in a moment of difficulty and without any wish of my own I had been called. From the manner, however, in which I have been urged to it both by the King and Mr Pitt there was really no room left to me to exercise any option". SRO, Melville, GD51/1/25, Dundas to Elliot, 11 July 1794 (draft).

Both Ehrman and O'Gorman write that at one point the management of Scottish affairs was in contention between Portland's friends and Dundas. I have not identified the evidence for this assertion, either in the collections that I have examined or in two of the central sources for the negotiation, The Diary of William Windham, ed. Mrs Frances Baring (London, 1866) and The Windham Papers, ed. Lord Rosebery (2 vols, London, 1913).

87. Mansfield resigned his Lord Justice Generalship of Scotland to Montrose, who in turn resigned his position in the royal household to Lord Westmoreland: see NUL, Portland, PwF 7034, Mansfield to Portland, 13 November 1794; Pitt papers, PRO 30/8/102, ff. 208-9, Pitt to Montrose, 21 November [1794] (draft).
88. SRO, Melville, GD51/6/1124, Kinnoull to Dundas, 23 November 1795; NUL, Portland, PwV 110, pp. 40-5, Portland to Robert Dundas, Lord Advocate, 7 February 1796 (copy). Having the appointment to the Lyon Office was one thing, but Kinnoull quickly found himself in a prolonged struggle for the office emoluments with his deputy Alexander Boswell. See Pitt papers, PRO 30/8/149, ff. 214-5, Kinnoull to Pitt [May 1796] and EUL, Laing Mss, Div. II, 500, Kinnoull to Robert Dundas, Lord Advocate, 12 August 1796. The business dragged on for a long time.
89. Thorne, HP, II, pp. 559, 571, 582.
90. SRO, Melville, GD51/6/135/1, Montrose to Dundas, 29 October 1794.
91. The relationship between Dundas and the Home Office was neatly phrased by Lord Meadowbank writing to Robert Dundas, Lord Advocate, 27 April 1798, (EUL, Laing Mss, Div. II, 500): "I advised them [the Burgher Seceders] to transmit the address to the Secretary of State for the Northern Department, who, I believed, was the Duke of Portland, but also to wait on your lordship as Chief magistrate of Scotland, communicate what had been done and request your lordship's good offices with government and particularly with Mr Dundas, who, it was known, was with great propriety much consulted in the administration of Scotch affairs".
92. Christie, op.cit, p. 220.
93. NUL, Portland, PwV 110, pp. 96-7, Portland to Dumfries, 28 March 1796 (copy).
94. NUL, Portland, PwV 109, pp. 59-60, Portland to R. Cullen, 3 April 1795 (copy).
95. NUL, Portland, PwV 110, pp. 263-4, Portland to Duke of Hamilton, 13 January 1797 (copy); ibid, PwV 111, (unpaginated), Portland to Robert Dundas, Lord Advocate, 1 December 1799 (copy).
96. SRO, Buccleuch, GD224/30/4/4, Dundas to Buccleuch, 17 June 1797: "The Duke of Portland is a very worthy man ... but the placing of himself in his present situation was as injudicious as it was unfortunate. The Home Department does now and will for a considerable time require an energy, vigor [sic] and activity that do not belong to his Grace's nature".
97. Christie, op.cit, p. 220; R.R. Nelson, The Home Office, 1782-1801 (Duke University, 1969), p. 20.

98. SRO, Home of Wedderburn, GD267/1/18/14-15, George Home to Patrick Home MP, 23 March 1795.
99. NUL, Portland, PwV 110, pp. 40-5, Portland to Robert Dundas, Lord Advocate, 7 February 1796 (copy).
100. NUL, Portland, PwF 3272, Professor Andrew Dalzell to Portland, 11 April 1795, and endorsement.
101. This is discussed in chapter five, below.
102. The main groups of Dundas's papers concerning military patronage are in SRO, Melville, GD51/6/1-721 and NLS, Melville, Mss 4, 1049 and 1050. Other letters requesting military positions and favours are to be found in almost all the smaller deposits of his papers.
103. NLS, Melville, Ms 4, ff. 81-2, John Hamilton of Sundrum to [?Dundas], 18 May 1788. Hamilton was very grateful, "knowing in the [sic] time of peace, that you must find full employment for all the commissions you can procure, to strengthen your own political influence...".
104. NLS, Melville, Ms 4, ff. 156-7, Memorandum by Colonel W. Wemyss to Dundas, 10 May 1790; SRO, Melville, GD51/6/40, M. Lewis, War Office, to Dundas, 4 February 1791; ibid, GD51/6/45, Colonel Wemyss to Dundas, 13 February 1791.
105. To cite two more examples; in 1791, Dundas was able to offer John Balfour of Balbirny the prospect of his son's being promoted to a captaincy: SRO, Melville, GD51/6/27, John Balfour to Dundas, 5 January 1791. Later that year, Sir George Yonge, Secretary at War, was enabled to answer an earlier solicitation by Dundas for a Lieutenant Sinclair on half-pay, with the offer of a captaincy by purchase: ibid, GD51/6/53, Yonge to Dundas, 29 March 1791.
106. Since the regiments were India-bound, Dundas had originally been intended to nominate officers to them, but decided against it. The nominations to Sir Archibald's regiment were in fact made by Ilay Campbell, Lord Advocate: see Duke University, Melville papers, copy letters of Dundas to Ilay Campbell, 22-23 October 1787. Ilay Campbell got himself into a scrape, recommending one more ensigncy than he had to give: SRO, Home of Wedderburn, GD267/1/12/17, George Home to Patrick Home MP, 15 November 1787.
107. NLS, Melville, Ms 4, ff. 132-3, Captain R. Lumsdaine to [?Dundas], 30 March 1790; ibid, ff. 139-40, [General] James Murray to Dundas, 7 April [1790]; ibid, ff. 146-7, Lumsdaine to Dundas, 2 May 1790.
108. Duke University, Melville papers, Dundas to Breadalbane, 4 December 1787 (copy).
109. Colonel William Wemyss, although an ally to government, gives some indication of the exasperation facing those who pursued military favours in this period: "My applying to the Secretary at War is useless - as he never granted the most trifling application of mine in his life, tho' he has granted the request

- 109 I made, to another person, in the same week, & for the
contd same person [sic]": NLS, Melville, Ms 4, ff. 154-5, Wemyss
to Dundas, 10 May 1790.
110. Dundas's correspondence on military affairs gives very few
clues as to his replies and often the only indication of
successful solicitations are letters of gratitude from
successful supplicants. The secretarial minute books,
most of which are now in the NLS, are of little use in this
respect.
111. Pitt papers, PRO 30/8/157, ff. 180-5, Dundas to Pitt, 24
September 1794: "You are certainly right in advising Lord
Amherst to accept of Capt. Colin Campbell[']s offer of a
fencible corps for Ireland. Is he an Argyle or Braidalbane [sic]
Campbell?" Dundas received help from his nephew the Lord
Advocate in identifying likely candidates for raising regiments:
NLS, Melville, Ms 6, ff. 169-70, 199-200, letters of Robert
Dundas to Henry Dundas, 26 August and 28 October 1794. See
also Dundas's letter to the Lord Advocate of 15 May 1798,
in EUL, Laing Mss, Div. II, 500.
112. SRO, Melville, GD51/1/625, Colonel W.P. Colyear Robertson
to Dundas, 16 October 1794. There are numerous references
to Dundas's part in the re-establishment of the Brigade, dotted
the length and breadth of his papers.
113. Loraine Maclean of Dochgarroch, The Raising of the 79th Highlanders,
(Society of West Highland & Island Historical Research, 1980) has
a useful account of the formation of a regular regiment.
114. SRO, Melville, GD51/6/186/3-4, letters of Colonel Fullarton to
Dundas, 21-22 August 1795.
115. They consisted of thirty seven infantry regiments and fourteen
cavalry: John Prebble, Mutiny. Highland Regiments In Revolt,
1743-1804 (London, 1975), p. 271.
116. SRO, Melville, GD51/6/113/1, Major James Durham to Dundas, 14
September 1794.
117. SRO, Melville, GD51/6/282/1, Colonel Sir Alexander Don to
Dundas, 9 March 1797.
118. SRO, Melville, GD51/1/832/2, [Sir] Benjamin Dunbar to Dundas,
[9 October 1794].
119. SRO, Melville, GD51/6/79, Colonel Thomas Dundas to Henry Dundas,
15 January 1794.
120. PRO, Brownrigg letterbooks, WO 133/4, pp. 29-30, Colonel Brownrigg
to Lieut. Colonel Maitland, 7 February 1798 (copy). This
letter outlines the principles upon which officers' appointments
to fencible regiments were expected to proceed. In normal
circumstances, there was only minimal interference from the
Commander in Chief, although the Duke of York had a considerable
wariness of some of the promotion practices employed in the various
battalions of Breadalbane fencibles. The letter of service for a
regiment would usually specify the qualifications required of
candidates for such appointments.

121. SRO, Melville, GD51/6/157, Earl of Home to Dundas, 23 December 1794.
122. Seaforth raised the 78th Highlanders, Graham the 90th Regiment.
123. SRO, Melville, GD51/6/77/5, Breadalbane to Dundas, 2 November 1794, discusses Breadalbane's nomination of officers to one of the corps raised.
124. Duke University, Melville papers, Sir James Grant of Grant to Dundas, 28 February 1793, enclosing 'Sentiments expressed by Col^l Macleod', 23 February 1793.
125. SRO, Melville, GD51/6/223, Colonel Allan Maclean to Dundas, 29 September 1795. See also ibid, GD51/6/458/2, Earl of Galloway to Dundas, 30 July 1799, in which Galloway tries to enlist Dundas's aid to get a situation for his son, Colonel Stewart. Previous applications to the Duke of York had not met with success.
126. This is the main theme of Richard Glover, Peninsular Preparation. The Reform of the British Army 1795-1809 (Cambridge, 1963). Chapter six on promotions and appointments is particularly useful.
127. PRO, Brownrigg letterbooks, WO 133/1, Colonel Brownrigg to Duke of York, 3 August 1798 (copy). This letter evidences the distaste felt by Brownrigg and York at one of Dundas's projects: "one cannot be put [sic] surprized, that M^r Dundas, with that liberality and love for publick [sic] justice which so strongly marks his character, should persist in expressing an anxiety for the success of a measure, which can never be justified to the army, merely to gratify the private wishes of the individuals who importune him on the subject, and which is simply [sic] the ground that he urges to your R. Highness".
128. SRO, Melville, GD51/6/97/1-2, Sir James S. Denham MP to Dundas, 22-3 August 1794.
129. SRO, Melville, GD51/6/210, F.H. Mackenzie to Dundas, 12 July 1795.
130. EUL, Laing Mss, Div. II, 500, Henry Dundas to Robert Dundas, 13 April [1798].
131. SRO, Melville, GD51/6/417/7, Tweeddale to Dundas, 8 September 1799.
132. SRO, Melville, GD51/6/183, 202, Lord Belhaven to Dundas, 19 March, 29 May 1795.
133. SRO, Melville, GD51/6/199/1-5, Correspondence of Colonel John Callendar with Dundas and others, 9 May - 25 December 1795.
134. Dundas alluded to the "real object" in constructing such barracks in a letter to Pitt of 22 November 1792: Pitt papers, PRO 30/8/157, ff. 154-61.

135. PRO, Brownrigg letterbooks, WO 133/3, pp. 52-3, Brownrigg to Major MacLean, 13 November 1796 (copy).
136. Pitt papers, PRO 30/8/154, ff. 166-7, William McDowall of Garthland, MP to Dundas, 24 January 1797.
137. SRO, Melville, GD51/6/263, Alexander Allardyce, MP to Dundas, 6 May 1796, laments this development.
138. See for instance the correspondence between Dundas and Alexander Brodie, MP, concerning the Aberdeen town barracks, March 1799: SRO, Melville, GD51/6/421/1-2.
139. There is a clear description of the purchase system in Glover, op.cit, pp. 145-7. Sunter, Patronage and Politics, pp. 42-6 has some discussion of the pitfalls of the purchase system for Scots. For examples of the sort of expense involved and the obstacle it presented to Scots, see NLS, Melville, Ms 1046, ff. 62-3, Mrs Ann Calderwood Durham to Dundas, 28 March 1790, and NLS, Melville, Ms 6, ff. 101-4, Robert Dundas, Lord Advocate to Henry Dundas, 17 January 1794, discussing the case of Sir J. Dalryell.
140. There are numerous examples of such requests: see SRO, Melville, GD51/6/445, Lieutenant Thomas Hunter, Fife Fencible Infantry to Dundas, 10 June 1799; ibid, GD51/6/457, Lady Jane Livingstone to Dundas, 9 July 1799.
141. Michael Lewis, A Social History Of The Navy 1793-1815 (London, 1960), pp. 40-1.
142. Quoted in Lewis, op.cit, p. 72.
143. Lewis, op.cit, pp. 202-11 sets out the system of interest by which individuals received their appointments and promotions.
144. See for instance, SRO, Melville, GD51/2/1090/1/7, George Noble to [Dundas], 3 June 1790; ibid, GD51/2/1090/1/11, Alexander Lang to Dundas, 14 April 1789.
145. There are several appointments of clerkships at the Navy Office to be found in SRO, Melville, GD51/2/1090/1.
146. SRO, Melville, GD51/2/1090/1/14, Robert Nicolson to Thomas Campbell, 11 March 1791.
147. SRO, Melville, GD51/2/1090/1/75, Sir Robert Laurie, MP to Dundas, 3 April 1791. Patrick Home of Wedderburn appealed directly to Lord Chatham to advance a friend of his, but even he cited Dundas as a patron in the cause: SRO, Home of Wedderburn, GD267/3/14/4, Patrick Home to Lord Chatham, 6 June 1791 (copy).
148. See for instance, SRO, Melville, GD51/2/1090/1/74, Earl of Stair to Dundas, 28 March [1791]; ibid, GD51/2/1090/1/76, John Callander to Robert Hepburn, 5 April 1791: "Mr Dundas promised to get ... [William Shaw] ... put on my Lord Chatham's private list to be included in the first naval promotion".

149. SRO, Melville, GD51/2/1090/2/1, "Naval Promotions H: Dundas 1790".
150. NLS, Melville, Ms 1046, ff. 40-1, Charles Hope to [Dundas], 12 May 1790.
151. NLS, Melville, Ms 1046, ff. 57-9, James Calderwood Durham to Dundas, 27 March 1789; ibid, ff. 60-1, same to same, 1 June 1789.
152. NLS, Melville, Ms 1046, ff. 153-4, Robert Honyman to Dundas, 10 January 1791.
153. SRO, Melville, GD51/2/1090/2/14, Sir Robert Anstruther to Dundas, 15 December 1790.
154. SRO, Home of Wedderburn, GD267/3/14/4, letterbook, Patrick Home to Lord Chatham, 6 June 1791 (copy).
155. This misfortune clearly befell William Renton.
156. SRO, Melville, GD51/2/1090/1/77, James Dalgleish, Bo'ness to [?Dundas], 8 April 1791.
157. SRO, Melville, GD51/2/1090/5/2, David Milne to [?Dundas], 8 January 1795 (copy); ibid, GD51/2/1090/5/54, David Milne (father) to Dundas, 25 November 1795; ibid, GD51/2/1090/6/25, (Captain) David Milne to Dundas, 14 November 1796.
158. SRO, Melville, GD51/2/1090/9/23, 29, letters of Earl of Haddington to Dundas, 31 August, 26 October 1799.
159. SRO, Melville, GD51/2/1090/5/47, Lieutenant Thomas Dundas to Henry Dundas, 4 September 1795.
160. SRO, Melville, GD51/2/1090/5/33, Lieutenant John Inglis to Dundas, 1 June 1795.
161. SRO, Melville, GD51/2/1090/10/46, [Major General] J[ames] Stewart to Dundas, 23 October 1800.
162. SRO, Melville, GD51/2/1090/9/11, Rev. Alexander Monilaws, Kirkpatrick Fleming to [Dundas], 25 March 1799; ibid, GD51/2/1090/9/18, 25, letters of Rev. Thomas Freebairn, East Monkland to Dundas, 25 January and 16 July 1799.
163. SRO, Melville, GD51/2/1090/5/30, Sir Thomas Livingstone to Dundas, 8 May 1795; NLS, Melville, Ms 1047, ff. 19-20, same to same, 27 January 1800.
164. SRO, Melville, GD51/2/1090/6/4, Richard A. Oswald to [?Dundas], 13 February 1796.

165. SRO, Melville, GD51/2/1090/5/52, David Scott to Dundas, 29 September 1795, enclosing ibid, GD51/2/1090/5/53, James Clayhills to David Scott, 23 September 1795 (copy).
166. Graham, long a Whig, was an early supporter of the war (Thorne, HP, II, p. 564) but otherwise merely suspended his political principles for the duration.
167. SRO, Home of Wedderburn, GD267/3/11/49, George Home to Patrick Home, MP, 15 February 1795.
168. Lewis, op.cit, pp. 60-75. The analysis by Lewis is based on an examination of the personal details given in two post-war collections of naval biographies. It is necessarily a sample but the conclusions are carefully arrived at and do not seem unreasonable.
169. Prebble, op.cit, p. 271.
170. PRO, Brownrigg letterbooks, WO 133/3, pp. 312-5, Colonel Brownrigg to Thomas Pelham, 22 September 1797 (copy).
171. SRO, Melville, GD51/2/1090/8/10, Hector Mitchel, Edinburgh to Dundas, [n.d., but ante 20 April 1798].
172. SRO, Melville, GD51/1/703/2, Sir Ralph Abercromby to Dundas, 28 August 1799.
173. G.J. Bryant, 'Scots in India in the Eighteenth Century', SHR, LXIV (1985), pp. 22-41. This article gives a detailed outline of the evidence of the Scottish presence in India for years before Dundas's period of power at the India Board. It also gives a useful picture of the views on this subject held by historians of East India.
174. SRO, Melville, GD51/6/197, Rev. John Buik, Tannadice to Dundas, 1 May 1795.
175. See for instance, NLS, Melville, Ms 4, ff. 211-2, Captain Thomas Inglis, Edinburgh, to Sir James Stirling, 8 September 1793: "... and if I might presume to make a choice, I wou'd prefer anywhere to the West Indies, ...".
176. SRO, Home of Wedderburn, GD267/3/14/27, George Home to [Patrick Home, MP], 5 August 1792. This shows Dundas's willingness to assist Ninian Home. He was appointed later, but was murdered during a slave uprising.
177. SRO, Melville, GD51/1/198/7/5, John Bushby to [Dundas], 22 August 1795.
178. DCRO, Sidmouth papers, 152 m, C1801, OZ 18, Dundas to Hiley Addington, 2 October 1801.

179. D.B. Horn, Scottish Diplomats 1689-1789, Historical Association Publications, No. 132, (London, 1944), esp. pp. 6-9.
180. NLS, Melville, Ms 1049, ff. 54-5, [Lady] J[ean] Dundonald to Dundas, 23 May 1800.
181. This phrase is used in BL, Pelham, Add Mss 33109, ff. 7-10, Colonel William Fullarton to Pelham [n.d. but ante 3 January 1802].
182. Cockburn, Memorials, p. 82.
183. B. Lenman, Integration, Enlightenment and Industrialization, Scotland 1746-1832, (London, 1981), p. 100.
184. SRO, Grand Lodge papers, GD1/1009/17/1, Rev. Thomas Somerville to [?Dundas], 22 March 1793.
185. SRO, Melville, GD51/5/643, Dr Joseph McCormick, St Andrews to Dundas, 29 October 1795. The man being damned by McCormick was John Leslie, later to be a thorn in the Moderate party's side.
186. DCRO, Sidmouth papers, 152 m, C1803, OZ 306, Colonel Thomas Maitland, MP, to Henry Addington, 16 September 1803.
187. Perthshire is one example; NUL, Portland, PwF 4958, Kinnoull to Portland, 1 November 1795: "... I am happy to find all party in the county has subsided & I think my friend Col. Graham has a very firm seat...". Angus was, temporarily, another example: SRO, Melville, GD51/1/826, David Scott, MP, to Dundas, 6 July 1794; also ibid, GD51/6/968/3, Sir D Carnegie to Scott, 16 January 1794.
188. G.M. Ditchfield, 'The Scottish representative peers and parliamentary politics 1787-1793', SHR, LX (1981), pp. 24-5.
189. As an interesting aside, the peers who supported government and who had engaged counsel to defend various of the votes that affected their respective elections, were singularly unforthcoming when the legal fees were demanded: SRO, Melville, GD51/1/30, John Spottiswoode to Dundas, 25 March 1795; ibid, GD51/1/197/22, "memorial respecting Mr Tait", 31 July 1797. There is further correspondence on the matter in SRO, Buccleuch, GD224/579/1.
190. M.W. McCahill, 'The Scottish peerage and the House of Lords in the late eighteenth century', SHR, LI (1972), p. 192.
191. HMC Fortescue, I, p. 597, Dundas to W.W. Grenville, 1 August 1790.
192. DCRO, Sidmouth papers, 152 m, C1802, OZ 41, Dundas to Addington [n.d. but September 1802].

193. SRO, Buccleuch, GD224/31/19/7/69, Buccleuch to Lord Napier [n.d., but ? 12 August 1793] (copy).
194. BL, Pelham, Add Mss 33109, ff. 402-3, Addington to Lord Pelham, 31 August 1802.
195. SRO, Buccleuch, GD224/31/19/7/65, 66, letters of Lord Napier to Buccleuch, 22 March and 27 June 1793; for government's obligations to Somerville, see HMC Fortescue, I, pp. 602-3, Dundas to W.W. Grenville, 4 August 1790.
196. SRO, Buccleuch, GD224/31/19/6/44, Tweeddale to Buccleuch, 1 July 1793. The letter is slightly ambiguous but I take it to mean that Tweeddale remained an Independent Peer. Buccleuch's draft reply, dated 12 July, is at ibid GD224/31/19/6/1.
197. PRO, Home Office Correspondence (England), HO 42/26/149, Lord Cathcart to [?Dundas], 21 July 1793; ibid, HO 42/26/231, [?Dundas] to Henry Cowper, [] July 1793 (draft); ibid, HO 42/26/264, Earl of Erroll to Dundas, [endorsed 4 August 1793].
198. Tweeddale's motives are unclear. In notifying the electors of Tweeddale's withdrawal, Lauderdale "mentioned that in the circumstances of the present election, Tweeddale [sic] ... declined being a candidate": NLS, Melville, Ms 642, ff. 33-4, Thomas Sinclair to Dundas, 7 August 1793. The "circumstances" are not detailed.
199. SRO, Buccleuch, GD224/31/19/7/67, Lord Napier to Buccleuch, 9 August 1793.
200. SRO, Home of Wedderburn, GD267/3/11/25, George Home to Patrick Home MP, 1 August 1793.
201. For accounts of the election, see Scots Magazine, 1793 and NLS, Melville, Ms 642, ff. 33-4, Thomas Sinclair to Dundas, 7 August 1793.
202. NUL, Portland, PwF 4949, Kinnoull to Portland, 25 August 1794; EUL, Laing Mss, Div. II, 461, Mansfield to Napier, 25 April 1796; ibid, Kinnoull to Napier, 4 May 1796. Kinnoull did in fact break his resolution and voted in 1796.
203. SRO, Buccleuch, GD224/31/19/6/44, Tweeddale to Buccleuch, 1 July 1793.
204. SRO, Melville, GD51/1/197/3, Hopetoun to Dundas, 31 August 1794.
205. NUL, Portland, PwF 3482, Dundas to Portland, 4 September 1794.
206. As late as 10 September, Robert Dundas, Lord Advocate had no idea who the government candidate was: NLS, Melville, Ms 6, ff. 191-2, Robert Dundas to Henry Dundas, 10 September 1794.

207. Portland was pleased at Hopetoun's candidacy: NUL, Portland, PwV 107, pp. 204-8, Portland to Dundas, 6 September 1794 (copy); ibid, pp. 262-4, Portland to Tweeddale, 20 September 1794 (copy).
208. NUL, Portland, PwF 4950, Kinnoull to Portland, 5 October 1794.
209. SRO, Buccleuch, GD224/31/19/7/72, 73, letters of Napier to Buccleuch, 6 and 10 October 1794. At about this time Napier described Buccleuch's position, "as the head of those of our peerage, who wish to shew [sic] themselves to be the steady friends of our King & happy constitution".: SRO, Buccleuch, GD224/31/19/7/70, Napier to Buccleuch, 24 August 1794.
210. SRO, Melville, GD51/1/197/11, Haddington to Dundas, 27 February 1796.
211. SRO, Melville, GD51/1/197/10, Dalhousie to Dundas, 14 August 1795; ibid, GD51/1/197/6, 7, 9 letters of Cassillis to Dundas, 25 March, 14 May and 2 July 1795; NLS, Melville, Ms 5, ff. 67-8, Aboyne to Dundas, 5 October 1795. Aboyne had received a hint from Dundas that he should offer himself as a candidate.
212. EUL, Laing Mss, Div. II, 461, John Hunter to Lord Napier, 20 April 1796.
213. SRO, Melville, GD51/6/245, Buccleuch to Dundas, 3 February 1796.
214. NLS, Melville, Ms 1053, ff. 69-72, Buccleuch to Dundas, 3 March 1796.
215. SRO, Melville, GD51/1/197/18, Galloway to Dundas, 2 June 1796, discusses the adjustments to the list. The minutes of the election show quite plainly that the government list and the names of those elected were one and the same: SRO, Peerage Election papers, PE8, ff. 154r-159v.
216. SRO, Melville, GD51/1/197/16, Cassillis to Dundas, 23 April 1796.
217. The election minutes show that Lauderdale received votes from several relatives and allies of former days, such as Tweeddale, Breadalbane and Stair. Sempill's actions symbolised both the bitterness of the remnant of opposition at these proceedings and the futility of their position. There is an account of the election in SRO, Home Office Correspondence (Scotland), RH2/4/79, ff. 199-204, Gilbert Salton to John King, 1 July 1796, with two enclosures.
218. Dundas had minor rows, apparently quickly settled, with Lord Torphichen in 1796 and with the Earl of Dalhousie in 1798. See EUL, Laing Mss, Div. II, 500, Torphichen to Dundas, 6 September 1796 and ibid, Dundas to Torphichen, 12 September 1796 (copy); also ibid, Henry Dundas to Robert Dundas, Lord Advocate, 13 April 1798, concerning Dalhousie.

219. Balfour Paul, Scots Peerage, III, p. 583. Erroll was in disgrace and had resigned his commission in the army. He was in very poor health: SRO, Melville GD51/1/654/17, Duke of York to Dundas, 1 June 1798.
220. SRO, Melville, GD51/5/38, Eglinton to Dundas, 20 June 1798.
221. SRO, Melville, GD51/1/949/1, Buccleuch to Dundas, 21 June 1798. As ever, some peers refused to commit themselves until they knew Dundas's wishes: SRO, Melville, GD51/1/197/23, Kellie to Dundas, 7 July 1798.
222. NUL, Portland, PwV 111, unpaginated, Portland to Castlereagh, 28 July 1800 (copy).
223. Of course, the adherents of Pitt and Dundas did not style themselves as 'Tories' at this period, although the term was frequently used abusively by their opponents. Nonetheless, they would have been aware of the aptness of the word; SRO, Melville, GD51/1/414/1, Rev. Dr George Gleig, Stirling to Dundas, 29 November 1798: "My principles are known to be those which are now called aristocratical, and were formerly styled monarchical or Tory principles".
224. SRO, Melville, GD51/1/198/17/3, Francis Russell, Blackhall by Aberdeen to Dundas, 4 November 1794. It is worth noting that Russell, as well as being an old acquaintance of Dundas, was something of a Whig in his politics.
225. There are numerous illustrations of this assertion. See SRO, Melville, GD51/1/198/21/16, James Erskine, Lord Alva to Dundas, 12 March 1794: "... I think the circumstances of the present times seem to require that all the friends of His Majesty & of the constitution should concur [sic] with as much unanimity as possible in supporting His ministers & the measures pursued by them".
226. SRO, Melville, GD51/1/887/1, Dundas to Buccleuch, 10 June 1797 (copy). The original is at SRO, Buccleuch, GD224/30/4/1. Similar sentiments can be seen in SRO, Melville, GD51/1/888/2, Dundas to Major Alexander Dirom, 7 August 1797 (copy).
227. This whole topic is itself a major subject and can only be touched on here. It is briefly discussed by Namier and Brooke, HP, I, p. 167: "In short there was so much intermarriage between English and Scottish families as to make national distinctions almost meaningless".
228. NLS, Melville, Ms 9370, ff. 197-8, "State of Parties in the Scotch Members", [n.d. but c. July 1802].
229. BL, Melville, Add Mss 40102, ff. 102-5, Melville to Charles Long, 28 March 1803 (copy); there is a similar statement in ibid, ff. 120-3, Melville to Pitt, 16 June 1803 (copy).

230. An account of a well-attended dinner in Edinburgh, probably in late May or early June 1809, to celebrate Pitt's birthday survives in NLS, Melville, Ms 351, ff. 34-41. Melville's speech catches the spirit of the occasion and gives some indication of the opinions of those who revered Pitt: "... if ever any set of men with mischeivous [sic] views or restless minds shall in the pursuit of their own objects disregard the great lines and old established usages of the constitution, it then becomes the duty of every man to forget all other considerations, to be true to himself and his posterity, and, by defending the great landmarks of the constitution to transmit to those who come after them the happiness and blessings this envied country affords to all descriptions of men, who knowing its just value are firm in their determination to support it". This was a meeting of the Scots Pittites and so the evening ended with renderings of "Scots Wha Hae" and "Auld Lang Syne".
231. SRO, Melville, GD51/1/195/20, Melville to Robert S. Dundas, 7 January 1807. A few years later, Melville would write, "the only basis on which my interest rests is from the attachment of old friends whom I lead only by stating myself as the friend of the constitution by keeping alive the memory of M^r. Pitt and the necessity of keeping together the great aristocratical interests of the country in opposition to a party, the chief part of whom in this country are in truth the abettors of those pernicious principles which we were under the necessity of repelling": SRO, Melville, GD51/1/198/3/46, Melville to David Boyle, Solicitor General, 28 February 1811 (copy).
232. SRO, Melville, GD51/1/198/29/7, Memorandum: "The following political Interest closely united by Blood and local connection" [n.d., but 1809 x 1810].
233. SRO, Melville, GD51/6/198, William Copland to Dundas, 5 May 1795.
234. SRO, Melville, GD51/1/939, Duke of Montrose to Dundas, 9 May 1798.
235. Pitt papers, PRO 30/8/137, ff. 158-9, Colonel William Fullarton to Pitt, 15 January 1806.
236. SRO, Melville, GD51/6/1242, Sir David Carnegie MP to Dundas, 15 April 1798; NLS, Melville, Ms 1053, ff. 89-90, Colonel William Fullarton to Dundas, 12 June 1799.
237. The opposition that resurfaced after 1801 was of course different from the one that existed prior to 1793. Perhaps the most striking change was the continued adherence of Portland and many of his followers, including Seaforth, to Pitt and his successors.
238. Cockburn, Memorials, p. 91, has an anecdote of the way in which the Edinburgh sheriff officers would list the attenders of these dinners. For the list for 24 January 1795, see NLS, Melville, Ms 7, f. 19.

239. NLS, Melville, Ms 7, f. 100, "Fox's Birthday 25th] January 1796".
240. NLS, Melville, Ms 7, ff. 17-18, Robert Dundas, Lord Advocate to Henry Dundas, 23 February 1795.
241. SRA, Campbell of Succoth, TD219/6/219(1), Lord Chancellor Thurlow to Ilay Campbell, Lord President, [n.d, but early 1792]. This topic will be discussed again in chapter five below.
242. Both Cullen and Macleod Bannatyne were Portlandite Whigs but kept up their friendship with the Foxite wing led by Henry Erskine. Their eventual elevation to the bench is discussed in chapter five below.
243. Cockburn, Memorials, p. 92, discusses this. See also Brims, op.cit, p. 382, which quotes from Cockburn, Life of Lord Jeffrey, (2 vols., Edinburgh, 1852), I, p. 80.
244. SRA, Campbell of Succoth, TD219/6/468, Robert Dundas, Lord Advocate to Ilay Campbell, Lord President, 29 [? April 1796]. Cranstoun had the support of Professor Dugald Stewart, a noted Whig. "I have in the first place", wrote Dundas, "no inclination that Dugald Stewart should succeed in any one single application which he ever makes; and on the contrary will on both public & private grounds uniformly thwart him if I can".
245. SRO, Melville, GD51/5/21/5, James Sym to Robert Sym WS, 27 November 1795; ibid, GD51/5/20, Rev. Robert Bowmaker, Duns to Dundas, 23 November 1795.
246. NLS, Melville, Ms 7, ff. 78-80, Robert Dundas, Lord Advocate to Henry Dundas, 27 November 1795. At this point, the Advocate was not certain that the Edinburgh Whigs would be able to organise a protest against the bills: "Without exception the leaders of all the clamour here, are those who are notorious for democracy. Harry Erskine and [Ferguson of] Raith excepted: neither of whom it is easy to say, of what principles they are, if they have any. To do justice to Bannatyne MacLeod, & those few others who were opposition people, they have not interfered in this business, & by my information have resisted all solicitations of the kind".
247. Duke University, Melville papers, Lord Fife to Dundas, 7 December 1795: "... on coming here [Edinburgh] I find the Dean of Faculty has outdone himself...". Fife promptly ceased to employ Erskine and Charles Hay, another Whig, as his lawyers and advised his friends and relatives to join in the attack on Erskine's Deanship.
248. Fergusson, Henry Erskine, 544-51, prints the various addresses to the Faculty of Advocates. Some of them can also be seen in NLS, Melville, Ms 351, ff. 17-18. The Deanship was an annually elected office and perhaps it was Erskine's bad luck that the election fell so close to the meeting. Tempers were given no time to cool. The events were unprecedented, because re-election was normally automatic

249. There are accounts of the run-up to the election in Fergusson, Henry Erskine, pp. 354-65 and Cockburn, Memorials, pp.92-4.
250. NLS, Melville, Ms 1053, ff. 63-4, George Home to [Dundas], 11 December 1795. Dundas's own verdict on the incident, in which he talks of Erskine's factious use of the office, can be seen in DCRO, Sidmouth papers, 152M, C1801, OZ 17, Dundas to Addington, 4 May 1801. The dismissal caused little or no stir in England: BL, Huskisson, Add Mss 38734, ff. 169-70, Huskisson to [William] Hayley, 5 March 1796 (?copy).
251. The struggles of the remnant of the Scots Foxites at this time became one of the central pillars of the history of the party that was eventually to triumph in 1832, and it is well told in Cockburn's Memorials. Cockburn was himself a nephew of Dundas and the latter, in discussing a plan to offer Cockburn a sheriffship in 1811, gives some hint of the way in which he found it difficult to comprehend the loyalty to each other felt by the Whigs; "It would be very desirable to bring Henry Cockburn out of his present connexion [sic][.] Nobody can give me a reason either how it began or why it continues, for every body tells me that his own way of thinking on every important subject is very different from theirs. Would there not be much good, if there is a vacancy of the Sheriffship of East Lothian to appoint him to that situation, and to offer it without any praevious [sic] communication[?] If he should be so ill advised from any false party honour to decline it[,] no harm would be done, but good[,] as it would prove to everybody that it was not the fault of government if such party nonsense was kept up in the Faculty": NLS, Melville, Ms 9, ff. 113-6, Melville to Robert S. Dundas, 24 May [1811].
252. SRO, Home of Wedderburn, GD267/1/17/2, George Home to Patrick Home, 20 February 1793: "Mr Dundas ... is engaged in a private business of his own ... and in my apprehension a foolish one beyond what I could have believed him guilty of, a marriage with a sister of Lord Hopeton's [sic], not but the young lady is very handsome and very deserving, but all his best friends I am sure will join me in opinion that he has no business with a wife". Perhaps Home was right, for there is some evidence in later years that the couple were not happy together: Matheson, Dundas, p. 322.
253. Matheson, Dundas, p. 261.
254. In the Parliament of 1796-1802, the Abercrombys held Clackmannanshire. The Hopetoun family had relatives sitting for the Stirling Burghs, West Lothian, and East Lothian. In 1802 they would, with Dundas's help, make the strongest challenge for the representation of Fife.
255. Furber, Dundas, pp. 274-7, letter of Dundas to Pitt, 5 February 1802.

256. Taylers, Fife and His Factor, p. 252. The quote is well known and much used. The gross hypocrisy of Fife, a man who used nominal votes to force his will on several Northern counties, should not be overlooked. Nonetheless, other men could have said the same, with more justification.
257. Duff of Carnousie was an East India Company officer and a local laird. He was slighted by Dundas's failure to resolve a problem concerning his rank. See Duke University, Melville papers, F. Baring to Dundas, 28 February 1793 and EUL, Laing Mss, Div. II, 500 [General] James Grant [of Ballindalloch] to William Grant, 28 June 1793.
258. By now Fife and his son were reconciled.
259. Taylers, Fife and His Factor, p. 245, Fife to Dundas, 9 May 1793; SRO, Melville, GD51/1/198/4/1, Fife to Dundas, 27 June 1793, Dundas to Fife, 6 July 1793 (copy).
260. Taylers, Fife and His Factor, pp. 246-7.
261. The office intended for Sir James Grant was put in the hands of two locum tenens, Alexander Alison and Alexander Thomson. See EUL, Laing Mss, Div. II, 500 [General] James Grant [of Ballindalloch] to William Grant, 28 June 1793 and also ibid, A. Pearson to Robert Graham of Fintry, 17 May 1793, where the arrangement is detailed.
262. Taylers, Fife and His Factor, p. 252, alludes to Fife's continuing rows with Dundas well into 1794.
263. SRO, Bonar, MacKenzie and Kermack, GD235/9/1/55, Henry Mackenzie to Dundas, 4 November 1794, details some of Altyre's thinking.
264. SRO, Melville, GD51/1/198/17/1, Henry Mackenzie to [Dundas], 11 October 1794.
265. SRO, Melville, GD51/1/198/17/2, Henry Mackenzie to Dundas, 26 October 1794.
266. For Brodie and Fife's new alliance, described as "a very ungracious & unpopular one", see NLS, Melville, Ms 1053, ff. 48-9, Henry Mackenzie to [?Dundas], 21 November 1794. Brodie himself felt that it might have been more of an alliance of necessity on Fife's part: SRO, Melville, GD51/1/198/17/5, Alexander Brodie to Dundas, 7 November 1794.
267. SRO, Melville, GD51/1/198/17/5, 10, letters of Alexander Brodie to Dundas, 7 and 29 November 1794. The quotation is from the second letter.

268. SRO, Melville, GD51/1/198/17/2, Henry Mackenzie to Dundas, 26 October 1794; SRO, Bonar MacKenzie and Kermack, GD235/9/1/55, Henry Mackenzie to Dundas, 4 November 1794. Sir James Grant had contemplated getting his son Lewis to resign early.
269. SRO, Melville, GD51/1/198/4/5, [General] James Grant to Dundas, 14 June 1795. Grant was "convinced that it was bad policy in a minister to interfere in a contested county when he knows that the successful [sic] candidate would support his administration...".
270. SRO, Melville, GD51/1/198/17/5, Alexander Brodie to Dundas, 7 November 1794. This letter is quite scathing as Brodie details the extent to which the Grants rely on Dundas and not vice versa.
271. NLS, Melville, Ms 1, ff. 97-8, "County of Moray" [n.d., but 8 May 1795, or later].
272. Ann Arbor, Melville papers, Sir James Grant to Colonel Cumming Gordon of Altyre, 29 March 1796 (copy); SRO, Melville, GD51/1/198/17/11, Cumming Gordon of Altyre to Dundas, 2 April 1796.
273. SRO, Melville, GD51/1/198/4/7, James Scott Hay to Dundas, 27 October 1795. This letter describes the Association as being purely against Fife. Other accounts suggested it had broader objectives.
274. NLS, Melville, Ms 1, ff. 31-4, D. McDowall Grant to Robert Dundas, Lord Advocate, 26 April 1795.
275. Duke University, Melville papers, letters of Fife to Dundas, 3 and 8 July 1795. The quotation comes from the second letter. For other comments on Colonel Duff of Carnousie's resentments to Dundas, see SRO, Melville, GD51/1/198/4/4, [David] McDowall [Grant] to [William McDowall, MP], 31 January 1795.
276. Ann Arbor, Melville papers, Sir James Grant [of Grant] to Dundas, 13 January 1796.
277. Duke University, Melville papers, Fife to Dundas, 30 July 1795. McDowall Grant had a majority of two.
278. Thorne, HP, II, p. 521; Duke University, Melville papers, Fife to Dundas, 21 October 1795.
279. SRO, Melville, GD51/1/885, Fife to Dundas, 2 May 1797; see also Duke University, Melville papers, letters of Fife to Dundas, 18 March and 22 June 1796.
280. SRO, Melville, GD51/1/198/4/10, [] Duff to Dundas, 4 March 1800; Dundas to [] Duff, 4 March 1800 (copy).
281. SRO, Melville, GD51/1/54/1, 2, Dundas to [] Brodie, 5 May 1800 (copy), with copy memorandum from Lord Fife, received from Mr Brodie.

282. Fife's support for the candidacy of Lieutenant General Alexander Hay of Rannes against Ferguson is implied in a state of the Aberdeenshire roll, sent to Dundas by the Duke of Gordon, on 4 July 1800: NLS, Melville, Ms 5, ff. 135-6. It is taken for granted by John Patrick, 'The 1806 election in Aberdeenshire', Northern Scotland, I (1973), p. 155. While the election did not take place in 1800, Pitfour was given a severe fright: NLS, Melville, Ms 8, ff. 110-111, Robert Dundas, Lord Advocate to Henry Dundas, 23 June 1800.
283. KCRO, Stanhope papers, U1590, S5/06/28, Fife to Pitt, 28 July 1803. This letter makes it clear that however much he resented Dundas, Fife still remained attached to Pitt. At this period, Pitt was out of office.
284. Some of the points concerning Fife's loss of influence are mentioned in chapter two. In 1800, he had only six votes in Aberdeenshire: NLS, Melville, Ms 5, ff. 135-6, State of Aberdeenshire Roll, July 1800. In Morayshire, in 1802, he was "disliked & despised" and had twelve votes, "his own menials & dependents": NLS, Melville, Ms 1053, ff. 102-3, A. Cumming Gordon of Altyre to Robert Dundas, Lord Chief Baron, 10 August [1802]. By 1806, Fife had also lost the services of his factor and sometime political agent, William Rose: Patrick, op.cit, p. 156.
285. NLS, Melville, Ms 1053, ff. 23-4, John Bushby to [Dundas], 14 September 1793.
286. Pitt papers, PRO 30/8/138, ff. 152-3, Lord Garlies to [?Pitt], 1 January 1795; ibid, PRO 30/8/195, f. 122, Pitt to Garlies, 4 January 1795 (copy). Garlies was an English MP.
287. SRO, Melville, GD51/1/31, Galloway to Dundas, 2 May 1795. In this letter, Galloway reviews the events of the previous six months.
288. NLS, Melville, Ms 7, ff. 1-2, Robert Dundas, Lord Advocate to Henry Dundas, 3 January 1795; ibid, ff. 13-14, Patrick Heron to Robert Dundas, Lord Advocate, 15 January 1795. Heron had been active in supporting the government campaign against the county reformers in 1792-3.
289. SRO, Melville, GD51/1/198/14/9, Dundas to Galloway, 31 March 1796 (copy).
290. NLS, Melville, Ms 7, ff. 13-14, Heron to Robert Dundas, Lord Advocate, 15 January 1795; ibid, ff. 5-6, same to same, 20 January 1795.
291. The details of this pact can be inferred in part from SRO, Melville, GD51/1/198/8/1, William McDowall, MP to [Dundas], 5 October 1795.
292. SRO, Melville, GD51/6/198, William Copland to Dundas, 5 May 1795.

293. This point is difficult to prove. I infer it in part from a comment of Heron's, at a time when he feared defeat, "which I shall regret exceedingly[,] more from the idea of not being able to fulfill [sic] Mr Dundas's wishes than from any disappointment it may be to myself personally, ...": NLS, Melville, Ms 7, ff. 13-14, Heron to Robert Dundas, Lord Advocate, 15 January 1795.
294. SRO, Melville, GD51/1/31, Galloway to Dundas, 2 May 1795.
295. SRO, Melville, GD51/1/198/14/9, Galloway to Dundas, 30 March 1796, Dundas to Galloway, 31 March 1796 (copy). This was the last of several attempts to get Dundas's support; see also SRO, Melville, GD51/6/1104/1, Galloway to Dundas, 15 August 1795.
296. SRO, Melville, GD51/1/197/18, Galloway to Dundas, 21 June 1796.
297. In August 1796, Galloway was complaining that a Kirkcudbright customs appointment was causing him some embarrassment locally and he wished an end to rumours of a difference between himself and Dundas: SRO, Melville, GD51/6/1104/2, Galloway to Dundas, 17 August 1796. In 1798, he was cheerfully assisting Dundas in the elections of East India Company directors: SRO, Bonar, MacKenzie and Kermack, GD235/16/3/14, Galloway to Dundas, 19 March 1798.
298. NLS, Melville, Ms 8, ff. 135-8, Robert Dundas, Lord Advocate to Henry Dundas, 15 September 1800; SRO, Melville, GD51/1/198/14/11, Dundas to [Patrick Heron], 8 October 1800 (copy).
299. Hamilton was married to Dundas's niece, Janet, and was appointed Receiver General of the Land Tax.
300. This point is often overlooked and is one of the keys to understanding the dispute that followed. It is clear from a letter of Dundas to Robert Dundas, Lord Advocate, 25 September 1795, in EUL, Laing Mss, Div. II, 500. Furber was aware of the letter but crucially was unable to decipher Colt's name: Furber, Dundas, p. 254. Dundas's unpreparedness is further evidenced in his statement to Tweeddale that prior to Baird's standing, he had had no candidate in view: NLS, Melville, Ms 1, ff. 69-74, Dundas to Tweeddale, 23 April 1795 (copy).
301. For these early rumours, see NLS, Melville, Ms 1, ff. 60-1, Captain H.H. Dalrymple to Dundas, 2 April 1795; ibid, ff. 87-90, James Craig to Robert Dundas, Lord Advocate, 5 June 1795.
302. For Dundas's expression of surprise, see SRO, Melville, GD51/1/198/9/16, Dundas to Tweeddale, 31 March [1795] (copy).
303. SRO, Melville, GD51/1/198/9/3, Tweeddale to Dundas, 26 March 1795; NLS, Melville, Ms 1, ff. 58-9, Robert Baird to Dundas, 30 March 1795.

304. NLS, Melville, Ms 1, ff. 67-8, Dundas to Baird, 8 April 1795 (copy).
305. NLS, Melville, Ms 1, ff. 69-74, Dundas to Tweeddale, 23 April 1795 (copy).
306. This interpretation, that Dundas was 'bounced' into supporting Dalrymple, differs from that given by Furber, Dundas, pp. 248-57 and by Thorne, HP, II, p. 542. It appears to me justified from Dundas's letters to the Lord Advocate and to Tweeddale (note 300, above). A careful reading of Dalrymple's letter of 2 April (note 301 above) shows that Dundas's support for him was not absolute.
307. SRO, Melville, GD51/1/198/9/5, Tweeddale to Dundas, 15 April 1795. Robert Dundas, Lord Advocate, was of opinion that part of Tweeddale's motivation came from his spouse; "I always told you, that Lord Tweeddale is only what his wife pleases...": NLS, Melville, Ms 7, ff. 41-2, Robert Dundas to Henry Dundas, 29 September 1795. See also ibid, ff. 27-30, same to same, 22 September 1795.
308. It is not possible to prove this point although the suspicion must remain. Tweeddale's own papers do not appear to survive among the Yester papers now in the NLS. Dalrymple tried to allege that Baird and Tweeddale were acting for opposition but there is no proof of this: NLS, Melville, Ms 1, ff. 60-1, Dalrymple to Dundas, 2 April 1795.
309. SRO, Home of Wedderburn, GD267/3/15/4-5, George Home to Patrick Home MP, 3 February 1788; NLS, Melville, Ms 1, ff. 69-74, Dundas to Tweeddale, 23 April 1795 (copy).
310. There were doubts about the validity of Dalrymple's personal vote and so he asked Dundas to delay the election until September: NLS, Melville, Ms 1, ff. 60-1, Dalrymple to Dundas, 2 April 1795. Tweeddale was certainly aware of his opponents' embarrassment: ibid, ff. 64-5, Tweeddale to Dundas, 3 April 1795. For the course of the canvass, see ibid, ff. 79-82, Dalrymple to [Dundas], 1 May 1795.
311. SRO, Melville, GD51/1/198/9/10, R[obert] Colt to Dundas, 29 June 1795.
312. SRO, Melville, GD51/1/198/9/9, Dalrymple to Dundas, 15 June 1795, alludes to a projected compromise under consideration.
313. For the negotiations with Lord Elcho, see SRO, Melville, GD51/1/198/9/11, Elcho to Dundas, 11 September 1795; EUL, Laing Mss, Add. 3, Henry Dundas to Robert Dundas, Lord Advocate, 21 October 1795; NLS, Melville, Ms 7, ff. 59-60, Robert Dundas, Lord Advocate to Henry Dundas, 27 October 1795; SRO, Melville, GD51/1/198/9/12-14, correspondence between Elcho and Dundas, 28 October-1 November 1795.

314. NLS, Melville, Ms 7, ff. 27-30, Robert Dundas, Lord Advocate to Henry Dundas, 22 September 1795.
315. NLS, Melville, Ms 7, ff. 41-2, Robert Dundas, Lord Advocate to Henry Dundas, 29 September 1795; ibid, ff. 43-4, Earl of Lauderdale to Dalrymple, [n.d.], (copy). The final compromise is set out in an agreement of 30 September: ibid, ff. 47-8.
316. EUL, Laing Mss, Div. II, 500, Dundas to Tweeddale, 3 October 1795 (copy).
317. NLS, Melville, Ms 7, ff. 61-2, George Buchan-Hepburn to Robert Dundas, Lord Advocate, 21 October 1795. See also, SRO, Melville, GD51/9/99, George Buchan-Hepburn to Henry Dundas, 31 October 1795.
318. EUL, Laing Mss, Div. II, 500, Henry Dundas to Robert Dundas, Lord Advocate, 3 October 1795.
319. The rumour in Edinburgh political circles was that Buchan-Hepburn had been promised a judge's gown to abandon Baird: SRO, Home of Wedderburn, GD267/31/75, George Home to Patrick Home MP, 26 December 1795. It is not clear if this was true, but Buchan-Hepburn certainly seemed hurt shortly afterwards at not getting a gown: SRO, Melville, GD51/1/198/3/13, [Captain] H.H. Dalrymple to [Dundas], 16 January 1796.
320. This election has recently been the subject of an essay in Sunter, Patronage and Politics, pp. 134-147.
321. Of Scott, Dundas wrote, "He is my right hand man in the administration of India & is at this moment [mid-1795] employed in various arrangements of a very important nature": SRO, Melville, GD51/1/198/2/6, Dundas to Robert Graham of Fintry, [n.d.], (copy).
322. SRO, GD51/6/958, Sir D Carnegie to [?Dundas], 16 December 1793.
323. Duke University, Melville papers, David Scott to [Dundas], 1 July 1794. Scott wrote of Carnegie, "any proposal from us he looks to as coming from you - He knows there can be no difference in opinion & in every point he appears to me to wish to support your wishes, and if I can see to draw to you. This being the case I am anxious to increase his progress, that he, and the powerfull [sic] train of connexion [sic] which he has may be your friends".
324. The dispute involved an exchange of ministers between the kirks of Marytown and Farnell and can be followed from the following references: SRO, Melville, GD51/6/958, Carnegie to [?Dundas], 16 December 1793; ibid, GD51/6/968/1-4, correspondence between Scott and Carnegie, 15-21 January 1794; Duke University, Melville papers, Scott to Dundas, 1 July 1794; SRO, Melville, GD51/9/53, Scott to Dundas, 17 July 1794; ibid, GD51/6/1115, [Scott] to [Dundas], [23 September 1795]. Scott discussed the business later in a letter to Robert Dundas of 23 June 1795 in EUL, Laing Mss,

325. Dundas asked Robert Graham of Fintry, the Excise Commissioner, to take charge of Scott's re-election campaign: EUL, Laing Mss, Div. II, 500, Robert Graham to Robert Dundas, Lord Advocate, 20 October 1795. There is probably more correspondence about this election in Dundas's papers than about any other for the period 1792-1801. It can be seen in NLS, Melville, Ms 7; SRO, Melville, GD51/1/198/2; EUL, Laing Mss, Div. II, 500; and in Scott's papers, many of which were printed in C.H. Philips (ed.), The Correspondence of David Scott Director and Chairman of the East India Company Relating to Indian Affairs (Camden Society, 2 vols, London, 1951).
326. EUL, Laing Mss, Div. II, 500, Scott to Robert Dundas, Lord Advocate, 7 September 1795. Scott here sets out at length the problems that he had found in his canvass of Angus.
327. Wrote one laird, "I heard some person observe that it was more a family than a County Reg^t": EUL, Laing Mss, Div. II, 500, Col. Alexander Duncan to Scott, 13 August 1795. There is a copy of this letter at SRO, Melville, GD51/1/198/2/12.
328. EUL, Laing Mss, Div. II, 500, Scott to Colonel Alexander Duncan, 9 August 1795 (copy). There is a copy of this letter at SRO, Melville, GD51/1/198/2/11.
329. SRO, Melville, GD51/1/198/2/5, Lord Douglas to [?Dundas], 30 August 1795.
330. There are many examples of these 'deserters'. William Maule supported Carnegie, despite an Indian writership given to his brother by Dundas: EUL, Laing Mss, Div. II, 500, Alexander Brodie to Robert Graham, 24 July 1795 (copy); SRO, Melville, GD51/1/198/2/7, Dundas to [Lady Dalhousie], 16 July [1795] (copy). Frederick Fotheringham, WS, deserted Scott, despite receiving an office in Lanarkshire through him: EUL, Laing Mss, Div. II, 500, Robert Graham to [Dundas], 14 August 1795; ibid, David Scott to [Dundas], 15 August 1795. Other deserters are noted in Philips, Correspondence of Scott, I, pp. 39-41, Scott to James Guthrie, 12 September 1795.
331. EUL, Laing Mss, Div. II, 500, Scott to [Dundas], 15 August 1795.
332. Some hint of the resentments at work can be garnered from a note in Ramsay of Barnton's diary, dated 5 November 1789, SRO, Steel-Maitland, GD193/1/1: Scott "is not much thought of in [Forfar] shire[.] Sir D[.] Carnegie[,] a most respectable gentleman has been politically ill used". The basic core of opposition to Scott consisted of Carnegie, Duncan of Lundie, Fotheringham of Powrie and the Foxite, Maule of Panmure. These drew much strength from what Duncan styled "the independant [sic] freeholders": see EUL, Laing Mss, Div. II, 500, Alexander Duncan to David Scott, 23 July 1795 and ibid, Alexander Brodie to Robert Graham, 24 July 1795 (copy).

333. EUL, Laing Mss, Div. II, 500, Henry Dundas to Robert Dundas, Lord Advocate, 25 September 1795. Scott's failures as a local politician, his inability properly to court the freeholders and his neglect of the arts of socialising are the general themes of Sunter's essay. But by the late eighteenth century, while these were all legitimate considerations in county politics, nonetheless the venality of the electoral system was such that no freeholder would have been in serious doubt about why he was receiving "favours" from his MP, or what was anticipated in return. Dundas wrote of Maule's treachery, "it unhinges all those ties & obligations in life, by which one is enabled to support & aid one's friends": SRO, Melville, GD51/1/198/2/7, Dundas to [Lady Dalhousie], 16 July 1795 (copy).
334. Dundas managed to detach Lady Dalhousie from her son, Maule of Panmure: SRO, Melville, GD51/1/198/2/7, 9, letters of Dundas to [Lady Dalhousie], 16 and 21 July 1795 (copies); Sunter, Patronage and Politics, p. 136. Dundas also pursued other freeholders: SRO, Melville, GD51/1/198/2/8, Dundas to Admiral Duncan, 21 July 1795 (copy).
335. SRO, Melville, GD51/1/198/2/5, Lord Douglas to [?Dundas], 30 August 1795: "I think he [Scott] has every chance in his favor [sic], and very few, if any, against him".
336. EUL, Laing Mss, Div. II, 500, Scott to Robert Dundas, Lord Advocate, 7 September 1795.
327. NLS, Melville, Ms 7, ff. 33-5, 41-2, letters of Robert Dundas, Lord Advocate to Henry Dundas, 22 and 29 September 1795; EUL, Laing Mss, Div. II, 500, Robert Graham to Robert Dundas, Lord Advocate, 20 October 1795.
338. Sunter, Patronage and Politics, p. 145.
339. SRO, Melville, GD51/6/1242, Sir David Carnegie to Dundas, 15 April 1798. Carnegie had earlier been a Portlandite: see NLS, Melville, Ms 5, ff. 105-6, Lord Adam Gordon to Dundas, 5 May 1797 and NUL, Portland, PwV 111, unpaginated, Portland to Alexander Allardyce MP, 29 December 1800 (copy). In fact he was by now, at base, an independent, principles he outlined much later: DCRO, Sidmouth papers, 152 M, C1804, OZ, Carnegie to Addington, 14 May 1804.
340. NLS, Melville, Ms 9370, ff. 197-8, "State of Parties in the Scotch Members", [n.d., but c. July 1802]. This, written by a Dundas supporter, describes Carnegie as "Opposition at Heart".
341. NLS, Melville, Ms 5, ff. 111-112, Lord Adam Gordon to Dundas, 16 May 1797.
342. Dundas had initially planned that Scott should contest the seats for Angus and the Perth Burghs simultaneously: Philips, Correspondence of Scott, I, p. 65, Dundas to Scott, 25 March 1796.

343. NLS, Melville, Ms 7, ff. 91-2, Robert Dundas, Lord Advocate to Henry Dundas, 18 January 1796; ibid, ff. 94-5, [Captain] P. Rigg to Robert Dundas [n.d.]; SRO, Melville, GD51/5/364/8/4, Dundas to Atholl, 4 February 1796 (copy).
344. For the growth of the government's interest in Cupar, founded in part on secret service money, see SRO, Melville, GD51/1/198/10/42, Robert Graham of Fintry to Robert Dundas, Lord Advocate, 10 July 1795; ibid, GD51/1/198/21/22, [Captain] P. Rigg to [Dundas], 7 October 1795.
345. SRO, Melville, GD51/1/198/21/21, [General] Alexander Campbell of Monzie to Dundas, 29 November 1795.
346. SRO, Melville, GD51/1/198/21/23, [Captain] P. Rigg to [Dundas], 25 November 1795.
347. J. Stewart Murray, Duke of Atholl (ed.), Chronicles of the Atholl and Tullibardine Families (5 vols, London, 1908), IV, p. 156.
348. Philips, Correspondence of Scott, I, pp. 64-5, Scott to the Town Council of St Andrews, 3 March 1796; same to Patrick Rigg, 23 April 1796.
349. Atholl knew of the existence of the letter of resignation but Dundas gave him no indication that he was going to use it. It was written for the purpose of Dundas settling the long running dispute between Atholl and Breadalbane over the representation of the Burghs. Atholl's rage was intense, if controlled: Blair Castle, Atholl muniments, Box 59, bundle 1, no. 169, Rear Admiral George Murray to Atholl, 29 April 1794; ibid, Box 59, bundle 3, no. 47, Atholl to Dundas, 24 March 1796 (draft).
350. Dundas seems already to have warned Campbell that his candidacy for the Burghs might be difficult to carry: SRO, Melville, GD51/1/198/10/54, [Dundas] to [General] Campbell, [n.d. but ? early February 1796].
351. See above, chapter two.
352. BL, Huskisson, Add Mss 38734, ff. 178-81, Dundas to Huskisson, 14 June [1796].
353. This is a much-used quotation. Its ultimate source is a letter by Dundas to Lord Hobart of 6 June 1796, a copy of which can be seen at SRO, Melville, GD51/17/69.
354. Ayrshire, Berwickshire, Dunbartonshire and the Stirling Burghs.
355. The Aberdeen Burghs had already decided to re-elect Alexander Allardyce, a government supporter, almost nine months before; see SRO, Melville, GD51/1/198/1/6, Alexander Allardyce MP, to Dundas, 20 October 1795. A rumour that Ferguson of Pitfour, MP for Aberdeenshire, might resign to accept a judgeship, had led to a rustling in the county in 1795 but it came to nothing:

- 355 NLS, Melville, Ms 1053, ff. 54-5, A. Hay to Dundas, 7 April contd 1795; Duke University, Melville papers, Earl of Fife to Dundas, 21 October 1795.
356. The quotation is from NLS, Melville, Ms 1053, ff. 59-60, Simon Fraser to Sir James Grant of Grant, 12 September 1795 (copy). Dundas was able to put some considerable local force at Fraser's disposal: NLS, Melville, Ms 1053, ff. 58-9, Sir James Grant to Dundas, 22 September 1795; *ibid*, ff. 65-6, Macdonell of Glengarry to Dundas, 21 February 1796; NLS, Melville, Ms 5, ff. 65-6, Gordon to Dundas, 5 October 1795; SRO, Melville, GD51/6/189/6, Macdonell of Glengarry to Dundas, 8 September 1795.
357. Philips, Correspondence of Scott, I, p. 73, Scott to Dundas, 11 May 1796; *ibid*, p. 74, same to same, 14 May 1796; SRO, Melville, GD51/1/198/21/24, Kinnoull to Dundas, 18 May 1796.
358. The canvass began in October 1795: NLS, Melville, Ms 5, ff. 69-70, Lord Adam Gordon to Dundas, 26 October 1795; see also SRO, Melville, GD51/1/198/10/46, Sir William Erskine to Dundas, 26 October 1795; *ibid*, GD51/1/198/10/49, James T. Oswald to Dundas, 9 November 1795. For Dundas's opinion and later comments: EUL, Laing Mss, Div. II, 500, Colonel Wemyss to Robert Dundas, Lord Advocate, 7 September 1796 and Furber, Dundas, p. 276, letter of Dundas to Pitt, 5 February 1802.
359. NLS, Melville, Ms 1, ff. 47-8, "Present State of the Roll of Freeholders in the County of Clackmannan" [1795]; NLS, Melville, Ms 1053, ff. 73-6, letter of [] Graham to Dundas, 6 March 1796, with enclosure; Thorne, HP, II, p. 527.
360. SRO, Melville, GD51/1/198/26/3-5, letters of William Forbes and William Caddell to Dundas, 18 August - 2 November 1795. For Elphinstone's allegiances, see NUL, Portland, PwF 3583, Sir G.K. Elphinstone to Portland, 27 August 1794.
361. Thorne, HP, II, pp. 616-7.
362. NLS, Melville, Ms 7, ff. 121-2, Robert Dundas, Lord Advocate to Henry Dundas, 29 March 1796; NLS, Melville, Ms 1053, ff. 69-72, Buccleuch to Dundas, 3 March 1796; *ibid*, ff. 77-8, [Admiral] J. Elliot to Dundas, 6 April 1796.
363. NUL, Portland, PwV 110, pp. 117-21, Portland to Sir Gilbert Elliot, 17 May 1796 (copy).
364. NLS, Melville, Ms 1, ff. 41-2, Patrick Home MP to Dundas, 27 November 1795; SRO, Home of Wedderburn, GD267/3/6/12, George Home to Patrick Home, MP, 11 December 1795; *ibid*, GD267/3/6/17, Sir Alexander Don to [Patrick Home], 31 January 1796. For Don's earlier hostility to the government party, see SRO, Home of Wedderburn, GD267/25/1, letter of George Home to Patrick Home, 20 January 1793.

365. SRO, Melville, GD51/1/198/5/1, Dundas to George Baillie, 25 December 1795 (copy). Thorne, HP, II, p. 523, writes of Don as potentially a Whig supporter. This is not reflected in the Home of Wedderburn papers, where he is merely seen as being less 'respectable' than Baillie (GD267/3/6/12, above). The Earl of Haddington saw it as merely a local faction feud: SRO, Melville, GD51/1/198/5/4, Haddington to Dundas, 18 January 1796.
366. For the details of the Bushby family's dispute with Queensberry, see SRO, Melville, GD51/6/1097/1-2, John Bushby to [Dundas], 11 July 1795, with enclosure. For Dundas's disputes with Queensberry and the prospects of an open split, see ibid, GD51/1/198/5-7, letters of John Bushby to Dundas, 22 August-31 October 1795. For the final settlement, see ibid, GD51/1/198/7/10, Provost David Staig, Dumfries to Dundas, 6 May 1796 and ibid, GD51/1/200/16, John Bushby to Dundas, 14 May 1796.
367. SRO, Melville, GD51/1/198/3/4, Colonel H. Montgomerie to [Dundas], 13 September 1795; NLS, Melville, Ms 1053, ff. 61-2, Eglinton to Dundas, 9 November 1795; SRO, Melville, GD51/1/198/3/7, Colonel Fullarton to Dundas, 26 November 1795. In this last letter, Fullarton blamed the confusion about the support he could expect from government upon earlier discussions with McDowall of Garthland MP.
368. In other circumstances Fullarton would have been an acceptable candidate to both Eglinton and Dundas: SRO, Melville, GD51/1/198/3/12, William McDowall, MP to Fullarton [n.d, 11 x 25 December 1795], (copy). For Cassillis, see chapter two above and also SRO, Melville, GD51/1/198/3/5, Cassillis to Dundas, 16 November 1795. For Fullarton's election campaign, see ibid, GD51/1/198/3/5, McDowall to Dundas, 3 December 1795.
369. NLS, Melville, Ms 7, ff. 101-2, Robert Dundas, Lord Advocate to Henry Dundas, 14 February 1796; Thorne, HP, II, p. 515.
370. Thorne, HP, I, p. 82.
371. SRO, Melville, GD51/1/198/3/14, Cassillis to [Dundas], 1 November 1796.
372. SRO, Melville, GD51/1/198/10/51, 56, letters of General Campbell to Dundas, 16 July and 27 August 1797; ibid, GD51/1/198/10/55, Thomas Erskine [of Cambo] to Dundas, 30 July 1797.
373. This section is mainly based on Christie, Wars and Revolutions, pp. 235-42.
374. A financial crisis had been feared as early as September 1796: Pitt papers, PRO 30/8/157, ff. 208-11, Dundas to Pitt, 3 September 1796.

375. For the tensions within the Cabinet and the possibility of government resigning, see SRO, Buccleuch, GD224/30/4/4 and 8, letters of Dundas to Buccleuch, 17 June and 16 July 1794.
376. Checkland, op.cit, pp. 220-1.
377. The opposition in Edinburgh were in high spirits about the petitioning: NLS, Melville, Ms 7, ff. 150-3, Robert Dundas, Lord Advocate to Henry Dundas, 29 March 1797. For its popularity, see Brims, op.cit, p. 564.
378. NUL, Portland, PwV 110, pp. 312-4, Portland to Robert Dundas, Lord Advocate, 31 March 1797 (copy); SRO, Buccleuch, GD224/30/4/3, Robert Dundas, Lord Advocate to Buccleuch, 22 April 1797. Several of the loyal addresses can be seen in SRO, Home Office Correspondence (Scotland), RH2/4/80: e.g.: ff. 59-61, Eglinton to Portland, 2 May 1797 (concerning the Ayrshire address); f. 66, Address of the County of Elgin, 1 May 1797; ff. 86-7, Address by the General Assembly of the Church of Scotland, 24 May 1797 (copy).
379. See for instance, EUL, Laing Mss, Div. II, 500, Rev. Dr William Porteous to Robert Dundas, Lord Advocate, 20 February 1797. Porteous thought volunteering would rouse the spirit of the people and "give us a little more of the military cast". Volunteering was very popular in the North East: NLS, Melville, Ms 5, ff. 101-2, Gordon to Dundas, 25 March 1797; SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 49-50, Lord Fife to Portland, 15 March 1797.
380. SRO, Melville, GD51/1/725/12, "Volunteer and Yeomanry Establishment of G. Britain" [? August 1800]. Robert Dundas, Lord Advocate explained the fluctuating complements of the volunteer units, in a letter to Portland of 10 February 1798: SRO, Home Office Correspondence (Scotland), RH2/4/83, ff. 126-9. In a letter to William McDowall, MP, the Advocate put the force at about 20,000 men: ibid, RH2/4/83, ff. 144-5, Robert Dundas to McDowall, [10 February 1798].
381. EUL, Laing Mss, Div. II, 500, Principal George Hill to [? Henry Dundas], 2 March 1797.
382. There are allusions to this drain of men in NLS, Melville, Ms 5, ff. 101-2, Duke of Gordon to Dundas, 25 March 1797; Pitt papers, PRO 30/8/137, ff. 32-5, Simon Fraser, MP to Pitt, 28 October 1796.
383. MacPherson's plan is alluded to in J.R. Western, 'The Formation of the Scottish Militia in 1797', in SHR, XXXIV (1955), p. 8. MacPherson had originally interested the Duke of York in the plan and he would repeat it some years later (see Duke University, Melville papers, Memoir by Captain MacPherson to the Duke of York, 27 June 1803). In May of 1797, MacPherson had sent Dundas further notes on his plan (NLS, Melville, Ms 14838, f. 182, "Private hints submitted to M^r Dundas respecting the

- 383 Clan Levy", 2 May 1797) but Dundas had already circulated contd the Highland landowners in late February. Their verdict was crushing. Walter Ogilvy of Clova wrote on 4 March, "You know much better than I can express that the disarming, the highland dress & jurisdiction acts have almost intirely [sic] dissolved [sic] the influence of familys [sic] over their vassals & namesakes ... it will be extreemly [sic] difficult if not impossible to make the proposed levies without the strongest aid from Goverment [sic] or legislation" (NLS, Melville, Ms 1048, ff. 63-4). Others sent similar messages. See NLS, Melville, Ms 5, ff. 95-6, 101-2, letters of Gordon to Dundas, 1 and 25 March 1797; SRO, Melville, GD51/1/670/1-2, letters of Argyll to Dundas, 28 February and 10 March 1797.
384. SRO, Melville, GD51/1/876/1-2, correspondence between Montrose and Dundas, 24 October and 15 November 1796. For the Duke's previous interest in a Scottish militia, see Pitt papers, PRO 30/8/160, ff. 265-6, Montrose to Pitt, 15 December 1794.
385. NLS, Melville, Ms 7, ff. 154-7, Colonel Alexander Dirom to Robert Dundas, Lord Advocate, 27 March 1797. Dirom gives an account of the February meeting at which he was present. Interestingly, he would later say that he himself had been in favour of an English-style militia, had it been advanced then and there: EUL, Laing Mss, Div. II, 500, Dirom to Robert Dundas, Lord Advocate, 30 August 1797.
386. SRO, Melville, GD51/1/879, John Rutherford of Edgerston to Buccleuch, 21 February 1797 (copy); Ann Arbor, Melville papers, Sir William Pulteney Johnstone, MP to Dundas, 26 February 1797; Western, op.cit, p. 9; SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 24-5, Robert Dundas, Lord Advocate to Portland, 15 February 1797; EUL, Laing Mss, Div. II, 500, same to Henry Dundas, 22 February 1797.
387. SRO, Melville, GD51/1/880, Buccleuch to Dundas, 27 February 1797; ibid, GD51/1/882, Buccleuch to William Garthshore, 25 March 1797. Both letters, although written one month apart, show Buccleuch's grudging acquiescence in the militia business.
388. EUL, Laing Mss, Div. II, 500, Henry Dundas to Robert Dundas, Lord Advocate, 7 March [1797]. The document is printed in Meikle, op.cit, pp. 276-81 and in HMC Laing II, pp. 646-9, where it is incorrectly dated.
389. Pitt papers, PRO 30/8/157, ff. 345-6, Robert S. Dundas to Henry Dundas, 25 March [1797].
390. NLS, Melville, Ms 7, ff. 154-7, Colonel Alexander Dirom to Robert Dundas, Lord Advocate, 27 March 1797. This letter gives a full account of the meeting. In general, those attending wished for a further expansion of the volunteer units.

391. SRO, Home Office Correspondence (Scotland), RH2/4/212, ff. 261-2, Portland to [lord lieutenants in Scotland], [] March 1797 (draft). This letter announced the suspension of formation of all volunteer corps not on the coast, until deliberations on a general defence plan for Scotland were complete. Ibid, RH2/4/80, ff. 67-8, Robert Dundas, Lord Advocate to John King, 9 May 1797, shows Dundas recommending the acceptance of a volunteer offer because it is for a coastal area. The Lord Advocate was not entirely happy about the block now being put on volunteering: see NLS, Melville, Ms 7, ff. 150-3, Robert Dundas to Henry Dundas, 29 March 1797.
392. SRO, Buccleuch, GD224/30/4/3, Robert Dundas, Lord Advocate to Buccleuch, 22 April 1797; SRO, Home Office Correspondence (Scotland), RH2/4/212, ff. 288-9, same to John King, 19 May 1797: presumably the Advocate meant opposition in parliament, although this is not made clear. Some were beginning to fear that the militia might arm the wrong sort of people: see ibid, RH2/4/80, ff. 80-1, James Craig, Hamilton, to Lord [], 18 May 1797. The bill itself was apparently not subjected to much public debate, or at least so one correspondent said in hindsight: EUL, Laing Mss, Div. II, 500, George Paterson of Castlehuntly to Robert Dundas, Lord Advocate, 3 October 1797.
393. K.J. Logue, Popular Disturbances in Scotland 1780-1815 (Edinburgh, 1979), p. 78 and Meikle, op.cit, pp. 179-80, rehearse the main points of the act.
394. SRO, Melville, GD51/1/888/1-2, Correspondence between Dundas and Dirom, 14 July and 7 August 1797; Ann Arbor, Melville papers, letters of Dirom to Dundas, 15-28 August 1797.
395. The militia riots have been discussed by several writers. This passage is based on Logue, op.cit, pp. 75-115, Meikle, op.cit, pp 180-5 and Western, op.cit, passim.
396. EUL, Laing Mss, Div. II, 500, Colonel Alexander Dirom to Robert Dundas, Lord Advocate, 30 August 1797, explains this point at length. The narrow age band chosen may well have been an attempt to limit the protest. If so, it failed, since people of all ages joined in the riots, suggesting that the main motivations were fear of foreign service and resentment at compulsion. Dirom had tried, he thought with success, to persuade the Advocate to extend the age limit to 30 "but unfortunately, it seems, that none of the opinions which were formed in Scotland met with attention in England". Oddly, as we have seen above, Henry Dundas had initially envisaged a higher age limit. This did come later: Western, op.cit, p. 4.
397. SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 190-3, Robert Dundas, Lord Advocate to Portland, 27 August 1797, discusses the disposition among some landowners to call for the act's suspension; ibid, RH2/4/80, ff. 240-1, Duke of Atholl to Robert Dundas, Lord Advocate, 29 August 1797 (copy), shows that Atholl had deep regrets about the act's passage. He certainly inclined to delay in the business: EUL, Laing Mss, Div. II, 500, Atholl

- 397 to Robert Dundas, Lord Advocate, 31 August 1797. Later, contd as the crisis subsided, the Advocate would note that "our magistrates begin to recover from the trepidation into which I was hurt & alarmed to see they had fallen": SRO, Home Office Correspondence (Scotland), RH2/4/81, ff. 131-2, Robert Dundas, Lord Advocate to John King, 13 September 1797.
398. EUL, Laing Mss, Div. II, 500, William McDowall, MP to Robert Dundas, Lord Advocate, 26 August 1797.
399. The spirit of this resolve is clear in a copy letter from Portland to the Duke of Montrose, dated 28 August 1797; retreat on the Militia Act "would but too probably endanger the general system of submission and obedience to the laws, upon the maintenance of which, the existence of our constitution and national power entirely depends".: SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 212-5. The letter was widely circulated. Colonel Dirom, one suspects with glee, initially called for the act to be suspended but after Tranent, he too advised perseverance: EUL, Laing Mss, Div. II, 500, letters of Dirom to Robert Dundas, Lord Advocate, 30 August and 4 September 1797.
400. This policy was outlined by Portland in a letter to the Advocate of 3 September 1797: EUL, Laing Mss, Div. II, 500. The step-by-step policy became common in the counties but was in many ways the product of necessity rather than calculation.
401. EUL, Laing Mss, Div. II, 500, George Home to Robert Dundas, Lord Advocate, 1 October 1797.
402. There are numerous references in the Home Office papers and the Laing Mss to government's conviction that radicals were organising the riots. The Duke of York summed up the government line: "I confess that I am not the least surprized at what the Lord Advocate states that he is every day more and more convinced that the Militia Bill is only a pretext, and that there are many persons of higher rank and situation in life who are concerned in encouraging and spiriting [sic] on the lower classes of people in their opposition and resistance to the Bill".: SRO, Melville, GD51/1/654/13, Duke of York to Dundas, 24 September 1797. For a recent assessment of the radicals' involvement in the riots, see Brims, op.cit, pp. 565-6.
403. SRO, Melville, GD51/5/31, George Buchan-Hepburn to Dundas, 8 September 1797. Hepburn was not alone in thinking that the bloody work at Tranent had intimidated the lower orders into better behaviour: see EUL, Laing Mss, Div. II, 500, letters of Henry Dundas, 3 September and Portland, 3 September, to Robert Dundas, Lord Advocate.
404. Western, op.cit, p. 18.
405. Whetstone, op.cit, pp. 108-11.

406. See SRO, Melville, GD51/1/927, Duke of Roxburghe to Dundas, 24 April 1798; ibid, GD51/6/1256/1, Buccleuch to Dundas, 28 May 1798.
407. SRO, Melville, GD51/1/673, General Sir James Steuart Denham, MP to Dundas, 27 September 1797; EUL, Laing Mss, Div. II, 500, letters of Lord Caithness, 23 January and George Haldane of Gleneagles, 18 March 1798, to Robert Dundas, Lord Advocate.
408. Why Dundas pressed the business against the advice of the two meetings of February and March is unclear. Even Buccleuch's hesitations should have been a warning. In fairness, the decision was taken in May-June at the height of the war crisis, when other things pressed on his attention. The foregoing text will have made it clear enough that I disagree with the approving description of the planning, implementation and result of the legislation, given by Western. It was misconceived in planning, ill-handled in execution and indifferent in its operation. I find much support for this view in Whetstone, op.cit, pp. 108-11.
409. SRO, Melville, GD51/1/654/12, Duke of York to Dundas, 10 September 1797; SRO, Buccleuch, GD224/30/4/9, Dundas to Buccleuch, 1 September 1797; ibid, GD224/30/5/13, Dundas to Buccleuch, 4 June 1798.
410. NUL, Portland, PwV 110, pp. 312-4, Portland to Robert Dundas, Lord Advocate, 31 March 1797 (copy).
411. Meikle, op.cit, pp. 186-92; Brims, op.cit, pp. 564-9; Lenman, op.cit, p. 103.
412. Brims, op.cit, p. 573.
413. SRO, Buccleuch, GD224/659/4/1, Adam Ogilvie to Buccleuch, 27 December 1797.
414. EUL, Laing Mss, Div. II, 500, William McDowall, MP to Robert Dundas, Lord Advocate, 18 December 1797.
415. SRO, Buccleuch, GD224/30/4/6, 11, letters of Dundas to Buccleuch, 17 June 1797 and 27 January 1798.
416. Brims, op.cit, p. 569; SRO, Melville, GD51/1/911, Rev. David Johnston, Leith, to Dundas, 17 March 1798; EUL, Laing Mss, Div. II, 500, George Paterson of Castlehuntly to Robert Dundas, Lord Advocate, 2 March 1798.
417. BL, Pelham, Add Mss 33,108, ff. 45-6, Tweeddale to Portland, 24 September 1801.

418. SRO, Melville, GD51/5/423/2, Robert Dundas, Lord Advocate to Henry Dundas, 10 May 1798; SRO, Bonar MacKenzie and Kermack, GD235/16/2/38, Sir A. Fergusson of Kilkerran to Dundas, 29 May 1798.
419. Furber, Dundas, p. 268.
420. Mitchison, op.cit, pp. 165-70; Thorne, HP, V, p. 182; SRO, Buccleuch, GD224/663/4/37-8, William Garthshore to Buccleuch, 5 March 1797.
421. SRO, Melville, GD51/5/417/1, Robert Dundas, Lord Advocate to Henry Dundas, 28 December 1797; Mitchison, op.cit, pp. 173-4.
422. Thorne, HP, III, p. 62.
423. NLS, Melville, Ms 1053, ff. 89-90, Colonel William Fullarton to Dundas, 12 June 1799.
424. SRO, Melville, GD51/1/198/12/3, Robert Dundas, Lord Advocate to Henry Dundas, 31 May 1797; ibid, GD51/2/1090/7/1-3, correspondence between Hamilton Dalrymple and Dundas, 4-6 July 1797; ibid, GD51/1/42/1-2, H. Dalrymple Hamilton to [Dundas], 3 August 1797, with enclosure.
425. Thorne, HP, II, p. 617; NLS, Melville, Ms 8, ff. 79-80, 106-7, letters of Robert Dundas, Lord Advocate to Henry Dundas, 15 February, 6 June 1800.
426. SRO, Melville, GD51/1/198/12/1, Alexander Allardyce, MP to Dundas, 12 May [1797]; NLS, Melville, Ms 5, ff. 105-6, 109-10, letters of Lord Adam Gordon to Dundas, 5 and 7 May 1797.
427. NLS, Melville, Ms 5, ff. 111-112, Lord Adam Gordon to Dundas, 16 May 1797; SRO, Melville, GD51/1/198/12/2, Lieutenant Colonel Peter Garden to Dundas, 19 May 1797.
428. Cockburn, Memorials, p. 96; Thomas Smith, Address To The Town Council of Edinburgh, (Edinburgh, 1799).
429. Thorne, HP, II, p. 598; A.J. Youngson, The Making of Classical Edinburgh (Edinburgh, 1966), pp. 257-8.
430. SRO, Melville, GD51/5/364/8/22, Robert Dundas, Lord Advocate to Henry Dundas, 21 April 1796.
431. Smith, op.cit, pp. 14-15; SRO, Melville, GD51/6/1289/1, Sir James Stirling to Dundas, 30 November 1798.
432. NLS, Melville, Ms 1057, ff. 18-19, Sir James Stirling to Dundas, 22-23 November 1798; HMC Laing, II, pp. 671-2, Archibald Cockburn, Baron of Exchequer to Robert Dundas, Lord Advocate, 23 March 1799. The quote comes from SRO, Melville, GD51/5/71/2, David Erskine, Tweedsmuir, to Melville, 21 September 1810.

433. [Alexander Pennecuik], An Historical Sketch Of The Municipal Constitution Of The City of Edinburgh (Edinburgh, 1826), pp. lix-lx; EUL, Laing Mss, Div. II, 500, Thomas Smith to Robert Dundas, Lord Advocate, 22 November 1797.
434. NLS, Melville, Ms 8, ff. 23-4, 31-2, letters of Robert Dundas, Lord Advocate to Henry Dundas, 16 September and 16 October 1799; Smith, op.cit, p. 28.
435. NLS, Melville, Ms 8, ff. 55-6, Robert Dundas, Lord Advocate to Henry Dundas, 29 October 1799; SRO, Bonar, MacKenzie and Kermack, GD235/15/4/17, Sir James Stirling to Dundas, 12 January 1801.
436. NLS, Melville, Ms 641, ff. 52-64, abstract accounts of the grain crop, 1799.
437. NLS, Melville, Ms 8, ff. 75-6, letters of Robert Dundas, Lord Advocate to Henry Dundas, 1 and 15 February 1800.
438. Brims, op.cit, p. 574.
439. Pitt papers, PRO 30/8/157, ff. 243-4, Dundas to Pitt, 10 February 1798; ibid, PRO 30/8/157, ff. 270-1, Dundas to Pitt, 4 November [1799]; BL, Melville, Add Mss 40102, ff. 44-5, letters of Dundas to Pitt, 8-10 April 1800 (copies).
440. SRO, Melville, GD51/1/726/1-2, correspondence between Evan Nepean, Admiralty, and Dundas, 7-9 September 1800; Matheson, Dundas, p. 288.

CHAPTER FOUR

THE SCOTTISH REVENUE ADMINISTRATION

At the top of the Scottish revenue administration stood the Treasury in London, presided over by the First Lord and four commissioners, with a staff of about thirty. Dundas's relationship with Pitt, the dominant figure at the Treasury, guaranteed his own influence in the disposition of the department's favours in Scotland. In day to day business, however, he and other politicians would commonly deal with the Chief Secretary, George Rose, or with Thomas Steele. The general oversight of the clerical work of Scottish business was long entrusted to William Mitford, a clerk who was also employed for their own business by the Scottish Exchequer Court and by the boards of customs and excise in Edinburgh.¹ Such an agent was necessary, for the Treasury bureaucracy displayed much unthinking carelessness in Scottish business. Of a simple appointment in 1807, Melville was informed "the warrant has not come ... matters of this kind are often delayed at the Treasury if the gentlemen there are not reminded". Melville himself deplored "those irksome delays which have at all times taken place at the Treasury".² More seriously, George Chalmers, an experienced Scottish lobbyist, wrote to Dundas in 1790 concerning his attempts to reduce the Scottish customs fees:

"I cannot help at present mentioning to you that Scotland and in some degree you personally have been ill used by the uncommon delays in this business as there seems never any time at the Treasury to consider properly of any Scotch affair".³

For all Dundas's influence, he was never able fully to make the Treasury work for Scottish interests, which sometimes had to suffer from the wider views that an English-based department had to take. This is partly a criticism, for after an initial burst of interest as Lord Advocate, he seems latterly to have taken comparatively little concern in matters concerning Scottish revenue. Only in one topic did he pay close attention, the matter of appointments and patronage, and here he probably approved of one of the major developments of the period, the extension of the Treasury's influence in Scottish revenue appointments. In the meantime, the Scottish officials not only had to endure the sometimes justified complaints of English observers, they had also to try to execute laws passed down that sometimes paid little attention to Scottish conditions. "I have frequently mentioned to your Lordship", wrote one official to the Chief Baron, "that it is difficult to make our Southern neighbours comprehend the difference between the local circumstances & y^e habits of Scotland & of England".⁴

If ultimate power resided in the Treasury, it is worth observing that the number of Englishmen in Scottish administration was apparently less than it had been earlier in the century, when a marked Southern presence was almost obligatory.⁵ The tradition of an English chief baron at the court of exchequer was broken in 1775 with James Montgomery's appointment and in the years afterwards the hon. Fletcher Norton, a lawyer, was the only English baron. Of the excise commissioners, only Thomas Wharton was from the South, while among the customs commissioners, the sole Englishman was Richard E. Philips, promoted after years of subordinate service.⁶

It is unclear whether the concentration of Scotsmen was due to Dundas's influence. Perhaps in part it was a reflection of the maturity of the post-Union administration, able to run without close English supervision. Certainly the Scottishness of the administration was perceived and probably explains the resentment of David Reid and others at the appointment of Edward Earl, an Englishman, as a customs commissioner in 1807:

"Whatever some of the conceited members of the London Board may have made some of the Treasury believe, I will venture to say, that there are Scotch men in the Revenue department in North Britain some of whom I named to your Lordship superior to any in the revenue in England in education, abilities and all the talents and that upon a fair trial this would be proved beyond a doubt; I would therefore be sorry to see my countrymen degraded".⁷

On Pitt's arrival at the Treasury, he was given a booklet entitled "The Business done in the Treasury by the officers - distinguishing each particular Branch". As a document, it has errors and must be used carefully but the description of the Scottish administration in 1783 is a useful departure point.⁸

The principal bodies in Edinburgh supervising the revenue were six in number, the Court of Exchequer, the Stamp Office, the Boards of Customs and of Excise, the Tax Office and the Post Office. The Forfeited Estates Commissioners would shortly find their board abolished and like the Board of Trustees were responsible for spending rather than collecting.

The Court of Exchequer stood at the top, its chief baron and four barons enjoying similar social status and salary to the lords of session. Between 1784 and 1806, eight men served as barons, most of them friends of Dundas.

Barons of Exchequer, 1784-1806

- 1784: Lord Chief Baron James Montgomery, Barons Cosmo Gordon, Fletcher Norton, Sir John Dalrymple, David Stewart Moncrieffe.
 1790: Baron Archibald Cockburn vice Moncrieffe.
 1800: Baron George Buchan-Hepburn vice Gordon.
 1801: Lord Chief Baron Robert Dundas vice Montgomery.

Chief Baron Montgomery owed his place to Dundas's family influence and they remained close, Dundas forwarding one son, James, to the post of Solicitor of Exchequer and later to higher office, while another, William, was assisted to military promotion.⁹ Cosmo Gordon was brother to the Duke of Gordon's political agent.¹⁰ Norton, though English, had a Scottish father-in-law, the excise commissioner Balmain, and was well affected to Dundas. Moncrieffe, placed in office in 1781 by Dundas and Lord Stormont, took little concern in politics.¹¹ Only Sir John Dalrymple was openly hostile to Dundas but he was little trusted by the Whigs and like others made his peace with government after 1794. Long an enthusiast for various economic projects, Dundas described him as "my volatile countryman ... He always mixes nonsense [sic] of various kinds into all his productions, but there [are] some clever ideas interspersed [sic]".¹² Archibald Cockburn was Dundas's brother-in-law and also had the friendship of Buccleuch,¹³ while George Buchan-Hepburn eventually lived down his dubious dealings in East Lothian politics to become another ally of Dundas at the Exchequer Court.

The Court was, reported a memorial of 1807, "in some respects more an English than a Scotch court. Its forms of proceeding are entirely English. The judges themselves may be all taken from the English Bar. One of their number has always been an English lawyer".¹⁴ Its duties centred on the accounting of the Scottish revenue. All the Scottish departments had to render accounts to

the barons usually through their respective collector or receiver general.¹⁵ The barons in turn empowered the payment of the Scottish Civil Establishment, the list of individuals entitled to money from the Crown. This money was disbursed by the Paymaster who drew it from the sums passing through his dual office as Receiver General of the land and assessed taxes and from such sums as the barons ordered the customs and excise to turn over to him.¹⁶ The Civil Establishment was itself approved by the Treasury every quarter before payments were made and no names could be added to the list without Treasury warrant. The Establishment listed the officers of the three courts of Exchequer, Session and Justiciary, together with all the officers of state, lesser crown appointees such as the King's chaplains and university professors, and the sheriff deputes. The list also included a considerable number of people drawing royal pensions.¹⁷ Aside from overseeing accounts, the barons had a jurisdiction in revenue cases and were also frequently called upon to provide information to the Treasury about the administration of the Scottish revenue. Persons who wished grants of rights of fishings, of baronies, or of other crown rights had first to petition the Treasury, who would turn to the barons for a report. If approved, the Treasury would then authorise the appropriate grant.

The Court had a few university bursaries in its gift, together with a small fund, the Exchequer Charity Roll, from which tiny grants were disbursed to deserving souls. When vacancies occurred, they were filled by a ballot among the barons and they were heavily engaged in advance.¹⁸ This was almost the only patronage the Court had.

Historians have pointed to the Court's somnolence and one contemporary wrote that

"their revenue matters are (it is supposed) so little burdensome as to leave them in general a great deal of spare time on their hands".¹⁹

In 1809 Chief Baron Dundas more or less admitted this but pointed to a recent increase in business.²⁰ The prevalence of sinecures in the Court had been noted by the Finance Committee of 1798, to whom the barons had opined that no additional checks or regulations were needed in the business of the office.²¹ The work of Principal Auditor was done by a deputy and the office, held in 1795 by James T. Oswald, was actually made the subject of a rare reversionary grant to the Earl of Mansfield's son in return for the father's resigning the Justice Generalship.²² Of the King's Remembrancer, in effect the Court's secretary, Dundas lamented "so efficient [a] situation in the court having been so jobbed about", but he was unable to stop it and it was the Deputy who would later be described as the barons' "acting officer in all business".²³ The Treasurer's Remembrancer was in a similar state and Argyll secured the post in 1788 for Colonel Livingstone, who in turn made provision out of it for Archibald Ferrier and for the Chief Baron's son James.²⁴

The Court's work cannot have been demanding. When Moncrieffe died in 1790, Dundas noted that two of the barons were not attending court, while Baron Gordon was lame and blind for some time before his death in 1800.²⁵

If the Exchequer was laden with sinecures, worse was to be seen among the ranks of the receivers general who gathered in the revenue before sending it to London.²⁶ There were seven receiverships and

three in particular, those for the land tax, the customs and the excise, were prize plums.²⁷ That for the land tax had the most chequered history. The holder of the full commission received the revenues from the assessed taxes, for which he had a poundage on sums remitted to London, the Crown estate revenues, for which a salary of £650 just sufficed to pay a deputy and clerk, and the land tax. He also had any profits from investing the balances in his care.²⁸ Inevitably this last raised the possibility of accidents. Prior to 1806, eight men held the post.

Receivers General of the Land and Assessed Taxes, 1766-1806

1766	John Fordyce of Ayton (full commission).
1781	Robert Scott Moncrieff (land tax only).
1783	James Murray of Broughton (full commission).
1784	hon. Keith Stewart (full commission).
1795	John and Alexander Gordon (interim appointment).
1795	John Hamilton of Pencaitland (full commission).
1805	Alexander MacLean of Ardgour (full commission).

Fordyce's tenure was disastrous. Initially, he exercised the office through a deputy, Innes, and he also paid an annuity to Keith Stewart, brother to the Earl of Galloway.²⁹ Two successive failures by banks in which Innes and Fordyce had lodged money left the latter owing government £56,000, for which he was removed from office. To some degree, the removal was mere show. He retained part of the commission and his successor, Robert Scott Moncrieff, had latterly acted as his deputy when Innes died. Fordyce confidently expected a return to office on repaying his debts.³⁰ The Fox-North ministry wished otherwise. Probably to avoid offending Fordyce's brother-in-law, the Duke of Gordon, they stayed proceedings against him but replaced him with Murray of Broughton.³¹ When Pitt came to office, frantic

negotiations began. With Gordon's support, Fordyce escaped prosecution and was found another post³² but he could not return to his old office, despite his entreaties. Scott-Moncrieff solicited re-appointment but wished - apparently unbeknown to Fordyce - to resume it without any obligation to his former principal.³³ In the end, the post was given to Fordyce's former pensioner (and Murray's brother-in-law!) Keith Stewart, a Pitt supporter.³⁴ Fordyce's debts remained unpaid for years and even in a corrupt age his reputation for greed and intrigue made him loathed. His continuing friendship with Dundas did nothing for the latter's reputation.³⁵ Keith Stewart was but a marginal improvement. He too fell into arrears and for years after his death in 1795 government were pressing his sureties for payment. John and Alexander Gordon, appointed interim collectors by the barons in 1795, contrived in seven months to collect £40,000, half of which government was still looking for in 1797.³⁶ Their successors, John Hamilton of Pencaitland and Alexander MacLean of Ardgour were both related to Dundas by marriage and seem not to have incurred any scandal.³⁷

The tales of receivers of the customs and the excise were less spectacular. Robert Campbell of Finab, who had obtained the Customs Receivership through the Duke of Argyll, paid an annuity to Edmonstone of Duntreath.³⁸ His death in 1790 opened the post to John, brother to Ilay Campbell, Lord President. Again, the Argyll interest was prominent in arranging this and again there were concealed annuities siphoned off to others.³⁹ The Receiver (or 'Cashier') of Excise was Walter Scott of Harden until 1793, when his death opened the post for Sir James Grant of Grant. In fact

Grant's succession had to be delayed two years, apparently owing to the political situation in Banffshire and the office was held by Alexander Thomson and Alexander Alison in the meantime.⁴⁰ Grant would hold the post until his death in 1811 and it was of considerable importance to his financial situation. Both the receiverships of customs and excise carried salaries but were long exercised by deputies. As with the land tax, the real profit was in investing the balances in hand. The Select Committees on Finance in 1797 and 1798 deplored this and the subsequent pressure for faster remittance to London made all three offices less profitable. Nonetheless, the holders were compensated and the posts remained sought-after.⁴¹ Neither the customs nor the excise receiver defaulted during the period.

The revenues accounted for in the Scottish exchequer fell into two crude divisions, the revenues of the Crown and the public revenues. The Crown revenues ultimately came to the hands of the Receiver General from five sources: compositions and seizures of prohibited goods; the Hereditary and Temporary Excise; the 'New Subsidy' of customs; fines and forfeitures of excise and the Crown rents and casualties.⁴² Some of this was levied by the customs and excise staffs, some was collected by the sheriffs. The rents of the bishoprics annexed to the Crown came through a Receiver General of Bishops' Rents, a post long held by Sir John Anstruther. There were other opportunities for patronage and while Hugh Warrender was the Chamberlain of the Earldom of Ross, it was well known that he surrendered his salary to Christian, sister to Henry Dundas.⁴³ The total of the Crown's hereditary revenues was not

great and was largely swallowed up in payments towards the Civil Establishment.

The public revenue in 1797 was separated into eight branches: excise; customs; stamps; salt; land and assessed taxes; 1/- tax on pensions; 6d tax on salaries; and the Post Office. Of these, the least productive were the two levies on salaries and pensions. The 1/- deduction was made at source by the Paymaster of the Civil Establishment, who handed the money over to the Collector of the duty. The Collector in 1792 was Lord Balgonie and he later reckoned that the salary and poundage from remitting the money to London was worth £150 yearly. It was of some importance to him.⁴⁶ The gross receipt for the year ended 5 January 1798 was £4136, collected at a cost of £150.⁴⁵ The 6d duty on salaries was levied in exactly the same way and was sent by the Paymaster to a Mr. Astle, the General Receiver for Great Britain. Astle had no Edinburgh agent and in 1797 the gross receipt was £3477, collected at a cost of £85.⁴⁶

The stamp administration in Scotland earned a gross receipt in 1797 of £123,978, collected at a cost of £9311. This arose from the sale, by local sub-distributors, of the stamped paper which had to be used for newspapers and legal documents and of the stamps which had to be fixed to certain goods, including hats and gloves.⁴⁷ The organization consisted of an Edinburgh office with a Head Distributor and Collector, a Solicitor, an Inspector and others presiding over sub-distributors in the country. In 1784, there were 21 sub-distributors and by 1797 their number had increased to 24, each of whom employed several agents to sell the stamps.⁴⁸ In 1797, the

Head Distributor had a salary of £260, with poundages on various moneys collected and whatever he could earn from his balances in hand. Again, the Finance Committee was unhappy about this last.⁴⁹ There were three head distributors in Dundas's time, successively Alexander Menzies, Alexander MacLean of Ardgour and Robert Hepburn of Clerkington. Menzies was friendly to Dundas, an important point since the head collector appointed the sub-distributors.⁵⁰ MacLean was related to Dundas and Hepburn was formerly his secretary.

The sub-distributors earned a poundage on the stamps sold and in 1784 the emoluments varied from almost nothing in Orkney, to the massive £1303 earned by the Glasgow Distributor, Mure of Caldwell. Between 1782 and 1797, total poundages paid to these men rose from £1589 to £6393.⁵¹ Not surprisingly, the offices were political objects, usually considered to be in the nomination of the local MP, if he supported government. When the Stirling office fell vacant in 1796, a local politician observed to his MP, "it will afford you an opportunity of forwarding the interest of your friends here for it is an office which can admit of some slicing".⁵² The dispute over the attempt to appoint a Dundee distributor in 1798 was one of the most involved tussles of the period for a minor revenue post.⁵³ The Select Committee on Finance of 1797 was surprised at the high poundage (10%) paid to the sub-distributors, a figure set in 1712 when business was small. This was subsequently reduced, to loud complaints from the officials, but the post remained prized as patronage.⁵⁴

The stamping of legal documents was neither easily nor wisely evaded and save for the exorbitant poundage - reduced from 1 August

1799 - the revenue as a whole seems to have been efficiently gathered. Nonetheless, at least two individuals, severally angling for the post of Inspector General of Stamps in 1790 and 1799, hinted at evasion. The latter wrote of

"the inattention of country distributors of licences, who thinking themselves not subject [to] the scrutiny of any particular officer, large sums of money were annually lost to the state by permitting persons to run in arrears, which are still due".⁵⁵

Certainly, some felt that there ought to be more distributors and there are occasional instances of distributors falling into heavy arrears but it is likely in fact that evasion was only bad on objects such as gloves.⁵⁶ One stamp duty was unique. The Post Horse Tax commenced in 1779, but was so beset by evasion that Pitt set it out to farm, and in 1787 he leased the right to collect all the Scottish duty to a George Smith, for £7420. Smith himself had to face so much evasion that in 1789 he endeavoured to give up the lease. Thereafter until 1837, the control of the tax in Scotland passed alternately between the stamp administration proper and various farmers.⁵⁷ It was not mere evasion of revenue that concerned most Scots about the stamp taxes, however.

The Scottish sub-distributors merely sold stamps from London and their paper and vellum also had to come ready stamped from the South. This, as the Glasgow Chamber of Commerce pointed out, meant that Scottish-manufactured paper intended for legal purposes had to be sent South for stamping. The same was true of newsprint and banknotes and the overall effect was seriously to inconvenience both the purchaser and the native Scottish paper industry.⁵⁸ The consequence was an intermittent agitation from the 1780s for the establishment of an Edinburgh office with the power of stamping. In

1786, the Treasury, on the advice of the English Stamp Office, rejected the plea, save for a minor concession.⁵⁹ Further agitation eventually secured the principle that Scots paper could be carried to London for stamping at the expense of the stamp administration.⁶⁰ The imposition of a new stamp on banknotes in 1799 led the lesser banks, with Dundas's blessing, to join others in a push for a Scottish Stamp Office, to avoid the inconvenience of sending their currency to London for stamping.⁶¹ For a time, success appeared likely, with numerous Scots applying for the anticipated commissionerships but in the end, nothing was done. Despite the support of Dundas and Pitt, the English stamp commissioners dug their heels in "and the matter was then dropped".⁶² Renewed agitation in 1801 was similarly defeated, as was yet another push in 1805, when higher stamp duties again led to Scottish dissatisfaction.⁶³ As a story, it was a disturbing example of vested English administrative prejudice working to the detriment of Scottish interests.

Until 1798, the Scottish customs service was responsible for two revenues, for those of customs on imported and exported goods and for what was effectively an excise tax on salt produced in Scotland. Beyond levying revenue, the service had also to enforce various laws relating to trade and navigation. In 1797, the gross receipt of customs was £284,578, collected at a cost of £46,128. The equivalent figures for the salt tax were £22,463 and £5,258. The department's accounts were rendered to the Barons of Exchequer, who would also require them each year to hand over money towards payment of the Scottish Civil Establishment. In 1797, such transfers totalled

£43,798. In other respects, the service answered directly to the Treasury, who allowed their salary bill every quarter and retained control over the size of the customs establishment. Petitions concerning the revenue or compositions for offences would go first to the Treasury, who would then refer them to the five customs commissioners at Edinburgh. If the Board was favourable, the Treasury would issue a warrant granting whatever the prayer of the petition was. Orders in Council concerning the quarantining of ships, or the export of certain goods such as military stores, would be transmitted through the Treasury. Leaves of absence for the commissioners had to have Treasury permission.⁶⁴

The Customs Commissioners stood high in Edinburgh society and were paid £500 a year, rising to £600 in 1788 and £800 in 1802.⁶⁵ Between 1784 and 1806, twelve men sat on the Board.

Customs Commissioners, 1784-1806

1784	Basil Cochrane, Adam Smith, James Edgar, James Buchanan, David Reid.
Aug. 1786	Robert Hepburn of Clerkington <u>vice</u> Buchanan.
Nov. 1786	John Henry Cochrane of Rochsoles <u>vice</u> Basil Cochrane.
1791	Alexander McKonochie <u>vice</u> Smith
1796	Richard Elliston Philips <u>vice</u> McKonochie
1798	Sir Charles Preston of Valleyfield <u>vice</u> Hepburn
1799	Shadrach Moyse <u>vice</u> Edgar
1800	Henry Veitch of Elliock <u>vice</u> Preston

Cochrane was of the Dundonald family and like Buchanan seems to have featured little in the affairs of the Board at this period. Adam Smith, the economist, was appointed through the Duke of Buccleuch, his former pupil, and he was a friend of Dundas, who took a passing interest in his work.⁶⁶ Edgar was an intimate of Dundas

and something of a character.⁶⁷ The dominant figure at the Board in these years was David Reid. Appointed by Pitt on merit alone - Dundas had favoured another - George Rose would endorse the common opinion: "I never knew a more zealous or more actively useful a [sic] servant of the public in the Revenue Department". His correspondence in Dundas's papers shows him to be completely loyal and one of his sons, Stephen, received an Indian cadetship through Dundas, while another, James, was advanced in a West Indian career.⁶⁸ Robert Hepburn, a Midlothian landowner, joined the Board through the interest of Buccleuch, with whom he was close, and his son Robert served as a clerk to Dundas.⁶⁹

John Henry Cochrane was a factor to the Duke of Hamilton and it was Hamilton who obtained Dundas's permission for Cochrane to purchase his namesake's resignation. In an age without retirement pensions it was a common procedure for elderly or ailing office holders. Wrote Dundas: "Old Cochran [sic] must resign to make way for young Cochran, and this by a private transaction with which Mr. Pitt and I can have no concern and must know nothing about". In office, he was attached to Dundas and his son James was given an East India writership.⁷⁰ The death of Adam Smith opened a place for Alexander McKonochie, a lawyer who had worked for Lord Douglas in his celebrated cause, and for others including Buccleuch and Queensberry in the Ayr Bank crash. He was also a friend of Chancellor Thurlow and had aimed at a seat at the Scottish Board for some time but his hopes had been barred by the discord between Pitt and Thurlow following the Regency Crisis. When Smith died, a correspondence drew out for some time and resulted in a temporary reconciliation between Premier and Chancellor, with

Dundas acting as honest broker and McKonochie receiving his prize.⁷¹ In fact his stay at the Board was short. He was in poor health well before his death in March 1796. He had been trying to resign since late 1795 and with the approval of Dundas and the Lord Advocate, he entered into an agreement with Richard Philips, the Board's Secretary, to resign in his favour. His death before the arrangement was fully settled, caused only a minor hitch.⁷² Looking at the Scottish boards, Sir John Anstruther had remarked of their staff "several are old & infirm". The promotion of Philips "a gentleman-like man and a good operative hand" continued what was apparently a policy of balancing the Board with professional man and political appointees. Hepburn's death in 1798 allowed Dundas and Pitt to pay off an old debt to Sir Charles Preston, who had waited several years for a reward for his parliamentary services.⁷³ Shadrach Moyse, appointed to succeed Edgar in 1799, had succeeded Philips as Secretary in 1796. With a good reputation and 47 years service, he was recommended to Pitt by Henry Dundas and the Lord Advocate.⁷⁴ Preston's death in 1800 cleared the way for Henry Veitch of Elliock to become a commissioner. Presumably his was a political appointment but it is not clear who his patrons were.⁷⁵

There were a few sinecures in the customs headquarters, most notably the Comptroller Generalship, held for life from 1786 by Alexander, Lord Balgonie but exercised by a deputy.⁷⁶ In 1798, the commissioners pointed at several offices that might conveniently be abolished, including Balgonie's post, an appointment of Inspector General of Outports held by Lord Colville and some other positions connected with the tobacco duties, long since transferred to the excise.⁷⁷ The Secretaryship and Solicitorship to the customs all

appear to have passed in a regular line of promotion within the office.

The Board presided over two administrations. The customs system centred on the collection of dues at head ports. In 1784, there were 27 of these, each with a collector, a comptroller and a varying number of landwaiters, tidewaiters and other officials. By 1806, the establishment had expanded to 29 headports. There was also a fleet of five cutters.⁷⁸ The collector, as his title suggests, received the dues collected in his port and aside from his salary he could hope to earn a little on the money that accumulated between remittances to Edinburgh. The comptroller was both the collector's adviser and his check officer. In practice, the Customs Commissioners felt that the functions of the post were in fact already exercised by others and in 1798 they made the radical proposal to abolish it. This was too much for the Treasury, however, and despite the potential savings, the plan was vetoed on the advice of the English Customs Board.⁷⁹ The salt duties were levied in eight collections, five on the Firth of Forth, three on the South West coast. There was some overlap of staff and the local customs collector was also commonly the salt collector. The customs comptroller occasionally doubled as the supervisor of salt duties.⁸⁰

The overwhelming majority of officials in the customs and salt posts were appointed by the Treasury in London, who simply ordered the Edinburgh Board to issue their deputation to those named on the warrants sent down. The Board appointed a few minor staff at the head office and a small number of outdoor officers.⁸¹ The consequence of this was that customs posts were almost all filled

by the politicians. Dundas spelt it out:

"The whole system of local patronage is founded in the idea of the person using it, doing so according to its genuine intention for the general strength of government, & not from any private or personal considerations".

McDowall of Garthland was similarly blunt: "my object must be to recommend to any vacancies in such a manner as to support my political interest in the county & boroughs".⁸²

The normal procedure was that when a vacancy occurred, the nomination was given by the Treasury to the appropriate local MP, provided that he supported government. If the post was in a Royal Burgh, it went to the burgh member, if in a county, it went to the county MP. There were variations. In some areas, a strong local interest would have the local nominations. Eglinton commonly nominated to vacancies in Irvine, while the Argyll family nominated to West Highland posts. Hamilton, before he fell out with Pitt, referred to Bo'ness, "which belongs to me". Later he would be put in his place.⁸³ In general, however, the MP had the nomination - he might allow or ask a relative or local manager to supervise its disposal - and Dundas would normally halt attempts to sidestep a member's 'rights' in the matter.⁸⁴ Dundas was kept informed of customs and salt vacancies⁸⁵ but otherwise had nothing to do with the great majority of appointments which were settled between the politicians and the Treasury. The Treasury would turn to him where it was uncertain who had a particular right to nominate or where they were unsure of a man's loyalties.⁸⁶ Similarly, he would become involved in settling disputes, as in 1797, when Ferguson, MP for Aberdeenshire and Allardyce, MP for the Aberdeen Burghs both claimed the right to nominate to a customs post in the town.⁸⁷

Indeed, many of the letters in Dundas's correspondence concerning customs affairs relate to disputes, rather than to straightforward appointments. Dundas would also become involved where an MP was hostile to government. The offices in his constituency would be parcelled out to the friends of government and Dundas would assist the Treasury in identifying such men.⁸⁸ This of course would serve as a signal to local voters as to where their loyalties should lie.

The consequence of all this was a service stacked with political appointees. Dundas, in appointing to offices at Leith, tended, like most burgh members, to take the nominations of the town council.⁸⁹ It is an indication of the subordination of the system to politics that in 1791, when the Collectorship at Leith fell vacant, a crucial post, overseeing the training of all staff for the East Coast, the Customs Commissioners had to approach Dundas, in his capacity as an MP, for the appointment.⁹⁰ There are other examples. John Dunlop, the financially embarrassed former Provost of Glasgow, was appointed Customs Collector at Bo'ness with the aid of the Duke of Hamilton. With little experience, he went to a post where he relied on his clerk to keep him right. The Duke of Atholl, against Dundas's wishes, appointed his son's tutor to the Perth Collectorship in 1796. The Aberdeen MP appointed his brother a collector there in 1797.⁹¹

Dismissals engineered by local politicians to punish opponents were uncommon but not unknown. The most blatant at this time was that of Wellwood Maxwell, Collector at Dumfries, removed through Queensberry's influence to make way for David Staig, the Provost. Maxwell conducted a long but ultimately

unsuccessful campaign for re-instatement.⁹² There is also evidence of financial transactions being involved in appointments. One MP allowed a constituent to nominate a tidewaiter, who then paid the constituent a part of his income. When Sir John Campbell succeeded to the Glasgow Collectorship in 1789, his predecessor, Burrows, received quarterly payments from Campbell's brother.⁹³

The salaries of customs officials below the level of comptroller were comparatively low, varying from port to port but in the range of £12 to £25 annually in 1797.⁹⁴ These sums were supplemented by fees taken from merchants for calculating the duties due by them, a system that was a great grievance nationally. A Scottish campaign had begun in 1782 to alleviate the effects of this on coastal trade and to remove some of the fees, many of which were unknown in England. The effort persisted until 1792 and had some limited success, with a partial reduction of fees on the Forth in 1784, but in the end it failed.⁹⁵ The cost to government of ending fees and paying full salaries to the customs staff was too great to consider and the agitation ended on the outbreak of war. Only from 1810 did progressive abolition begin.⁹⁶

Given the appointments system, it is surprising that the customs service functioned as well as it apparently did. The Commissioners were proud of their force and asserted

"no country whatever can produce a set of more intelligent, well informed, up right officers, than what are at present upon the Scotch Customs Establishment, and that the Revenue of Customs in that country, is more fairly, at least as fairly collected as the Revenue in England is".⁹⁷

Partly, this may have been the discipline of the service: "if a man is disgraced for fraud he is never reponed, for this good reason,

that in the customs they have no regular check for the discovery of fraud in their officers...".⁹⁸ Similarly, the fact that most appointments were not made by the Commissioners, meant that they had no vested interest in protecting corrupt protégés. Nor could bribery of senior officers to obtain promotion be of much use in such a system. In all, however, it was probably by accident rather than design that the customs escaped the worst abuses so obvious in the excise service. It should not be forgotten that most customs taxes hardly touched the common man and this gave the customs staff a lower public profile than the hated excise gauger.

There were some irregularities, of course. The discovery of frauds at Glasgow and Greenock led to dismissals in 1790.⁹⁹ In 1796, the Aberdeen Collector, Sime, and his comptroller were suspended for corruption. A local MP, claiming that Sime was the victim of a conspiracy by local merchants, urged his reinstatement and asked Dundas to investigate. Dundas was politely rebuffed. David Reid "never yet during more than forty two years service in the Revenue, knew the business of a port so conducted" and he detailed a string of irregularities that would eventually see both officials dismissed.¹⁰⁰ There may also have been a number of officers incapacitated by age, for it was not until 1798 that the Board adopted the rule of admitting none over 45 years old.¹⁰¹

How did the service fare in these years? There is little doubt that the American war had left a shocking legacy. Smuggling, particularly on the West and South West coasts, impossible fully to police, had drifted out of control and it was the excise that reported in 1783 that "smugling [sic] practices to a very great & uncommon extent are carried on along the coast of Ayrshire & in the West Islands

of Scotland".¹⁰² The end of the war promised worse. In 1785, the Glasgow tobacco manufacturers complained of "smuggling which is now carried on in Scotland to such a height, that in a few years, if matters remain as at present, not a fiftieth of the quantity of tobacco consumed will pay any duty - even now the whole country is overrun with smuggled tobacco". As the year wore on, the situation gave every sign of deteriorating.¹⁰³ The government solution to smuggling was twofold, the lowering of taxes to reduce smuggling profits, and the use of force. Pitt's Commutation Act of 1784 greatly reduced the tax on tea and the effect in Scotland, where the smuggling of tea "immediately stopt", was dramatic.¹⁰⁴ Unfortunately there is some evidence that the smugglers merely substituted tobacco for tea in their cargoes.¹⁰⁵ The deployment of military force, particularly in the South West, had some limited impact against the smugglers but in 1791 it was again reported that smuggling was carried on to a very great extent in that region. One local historian considers that events did not turn against Dumfries smugglers until 1792.¹⁰⁶ Nationally the evidence is contradictory: "the business is of such a nature that it is not possible to ascertain very certain information".¹⁰⁷ Some indicators convinced contemporaries that smuggling had declined, certainly prior to 1793, but this may only have been a small reduction.¹⁰⁸ Any decline in the smuggling of continental spirits, for instance, would have been more than balanced by the rise in illicitly produced domestic output. The excise experience during the war was that smuggling increased and there is no reason to suspect that the same is untrue for the customs.

The raising of taxes in wartime and the encouragement of smuggling to Europe would probably have stimulated smuggling inward. The continual requisitions by the Navy of customs and excise vessels cannot have helped.¹⁰⁹

If the customs service had difficulties in these years, the record of the salt tax officials is one of unambiguous failure. Since the Union, the Scottish salt manufacturers, predominantly based on the Forth, had enjoyed a theoretical monopoly of the home market. If English salt came North, it had to be sold at English prices which, by 1782, included a tax levied at 5/- per bushel. Scottish salt was only taxed at 1/6 per bushel. Unfortunately English salt was much cheaper to produce and this had consequences, explained in a paper by the Customs Solicitor, Osborn, in 1793. It was forbidden to refine English rock salt in Scotland but such salt cost only 4½d per bushel before tax, while Scottish salt cost 1/8d. Unprocessed English salt could be shipped to Ireland - the exporter could even claim a drawback - where it could be made into white salt for sale at 1/1d per bushel. This left the Scottish smuggler with a handsome profit on whatever quantity of salt he could buy and ship to Scotland. He could either smuggle it ashore or bring it over openly, claiming that it was duty-free salt for curing fish. Later it could be spirited away from the warehouses to its real market. The result was inevitable. Every time the price of Scottish salt rose, so did smuggling from Ireland.¹¹⁰ By 1795, the North West coast and islands were almost wholly supplied with smuggled salt and in 1797 one anonymous memorialist asserted that only 10% of salt consumed in Scotland paid duty. It was probably an exaggeration but perhaps only just.¹¹¹

The solutions were obvious enough. The salt tax could be abolished totally over Britain, or English rock salt could be permitted in Scotland at the Scottish tax rate. As early as 1784, Dundas favoured the former and by 1785, plans were far advanced to commute the coal and salt taxes, shifting them onto malt instead. Of course, this was anathema to Scots salt producers who would be buried under cheap English imports. The plan, despite much support, was eventually defeated by what Lord Selkirk later called "very paltry objections started in Scotland".¹¹² Plans to allow English rock salt into Scotland at Scottish tax rates were proposed by Ilay Campbell in 1788, by the Customs Commissioners in 1793, and by a Scottish entrepreneur in 1798. Each time they were defeated, on the last occasion by English interests.¹¹³ As if the situation were not bad enough, government raised the Scottish tax to 6/6d per bushel in 1798. Smuggling soared, the Scots producers were hard hit and those who still bought legally taxed salt joined the complaints.¹¹⁴ A reduction to 4/- tax in 1799 had only a marginal effect and smuggling continued unabated.¹¹⁵

The transfer of the salt duties to the excise in 1798 had no effect. The Scottish salt owners blamed the smuggling on the laxity of "the present rate of superannuated salt watchmen" and called for higher pay to encourage recruitment of better staff.¹¹⁶ The salt staff had no high reputation but they were given an impossible task, a task compounded by the monopolistic objectives of the Scots producers and the unwillingness of the politicians to tackle these vested interests.

The Scottish excise in 1797 had a gross receipt of £851,775,

collected at a management cost of £75,862. This easily made it the most important branch of the Scottish revenue and its remit included duties on malt, beer, spirits and upon a whole range of manufactured goods.¹¹⁷ Several taxes were transferred from the customs service to the excise in these years, including wine (from 1786), tobacco (1789) and salt (1798).

Five commissioners sat at the Excise Board in Edinburgh. They gave in accounts to the Exchequer Court and made over sums for the payment of the Civil Establishment. In 1797, these payments totalled £62,509. Otherwise, the excise service answered directly to the Treasury, to which they returned a quarterly state of their salary and incident bills, together with answers to the various requests for information periodically made to them. In most respects, the control exercised by the Treasury was very similar to that wielded over the customs.¹¹⁸ The Treasury had complete control over the organization and size of the service but in crucial areas, the Excise Commissioners had great independence. Between 1784 and 1806, ten men served on the Board.

Excise Commissioners, 1784-1806

- 1784: Alexander Udney, George Brown of Elliston, James Stodart, Thomas Wharton, Gilbert Laurie.
- 1785: James Balmain vice Laurie
- 1787: Robert Graham of Fintry vice Udney
- 1789: John Grieve vice Balmain
- 1803: Sir John Stuart of Allanbank vice Grieve
- 1804: Frederick Fotheringham vice Brown

Of these, Udney, a very long server, was by now of no importance.¹¹⁹

George Brown was a distant relative of Dundas and his son's naval career was advanced by this connection. Associated with Buccleuch in his native Roxburghshire, Brown had a wife, Dorothea, who regularly

corresponded with Dundas, sometimes passing political gossip.¹²⁰ Stodart was a former Edinburgh Provost who had backed Dundas and Buccleuch in their struggles with Sir Laurence Dundas. He was bankrupted in 1794 and while Henry Dundas obtained an Indian appointment for his son, Stodart would remain embarrassed to the end of his days.¹²¹ Laurie, a former supporter of Sir Laurence Dundas, may not have been well affected to Henry but his tenure of office was short.¹²² Wharton, the Englishman, had some connections with opposition figures in Scotland but it is not clear what effect this had on his conduct. He was not entirely comfortable at the Board.¹²³ Balmain, friendly to Dundas, was conscientious in his work but had only a short period in office.¹²⁴ The most prominent man at the Excise Board after 1787 was Robert Graham of Fintry, a Perthshire laird and an ally to the Duke of Atholl. His low income, excise commissioners were paid about £600 yearly, actually led him to seek resignation in 1793. In fact, while his financial problems persisted, he remained and as we have seen he acted as a local adviser to Dundas in Angus and Dundee politics. His letters to Dundas and others clearly give the impression of a bustling fellow, often out of sorts with his fellow commissioners, and this may give some clue to the ructions that beset the Board in these years.¹²⁵ John Grieve was another former Provost of Edinburgh. He had supported Sir Laurence Dundas but switched horses to join Buccleuch. As early as 1784, he was an unsuccessful aspirant to a customs commissionership.¹²⁶ Stuart of Allanbank received his appointment in 1803 with the support both of Melville and of the Queen.¹²⁷ The next appointment, Frederick Fotheringham,

was very much less to Melville's taste. Brother-in-law to Boyd Alexander MP, he was a Writer to the Signet in partnership with the son of the Excise Board Secretary, Pearson. He purchased the resignation of his predecessor, Brown, during the dying days of Addington's administration. It was commonly considered to be an objectionable appointment.¹²⁸

Of the Excise Board as a whole, it is striking that, unlike the customs, most commissioners had had no previous experience in the administration. Only Balmain, formerly the Excise Solicitor, seems to have been promoted. The rest of those appointed after 1785, were outsiders. If the Board was apparently balanced in favour of Dundas, he and his associates were never comfortable with it. It had internal tensions and in one dispute of 1796 over an appointment in the comptroller's office, Graham wrote of "the old division" on the Board.¹²⁹ The loss of the Board minutes before 1799 and the comparative absence of relevant correspondence make these differences obscure but they led people to distrust the commissioners. "Audi alteram partem is very necessary in all matters coming from the Board of Excise", wrote Justice Clerk Hope in 1807.¹³⁰ Dundas may have had difficulties with opponents on the Board and the known indebtedness of Stodart and Graham cannot have encouraged confidence. Probably the most important consideration was the dominant feature of the excise administration as the century drew to a close: the stench of corruption.

The excise system as a whole was comparatively free from sinecures and only the Receiver Generalship, the Comptrollership and the Auditorship were particularly blatant. The Auditorship

was held successively by the Duke of Argyll to 1786, by Sir Hew Dalrymple, 1786-1800, and by James McDowall, 1800-08. Only thereafter, and against the wishes of Robert Dundas, who wished it to remain a sinecure available to reward supporters, was the office made efficient.¹³¹

The revenue was collected at two ports and in thirteen country collections. Each had a collector or collecting supervisor in charge, several supervisors and numerous officers ("gaugers") and assistants. The supervisors oversaw the work of the gaugers, and the outdoor officers as a whole would be subject to snap inspections by two general supervisors based at Edinburgh. Six examiners based at Edinburgh checked the books of the outdoor staff and provided a pool from which to promote supervisors.¹³² In the thirteen country collections a total complement of 41 supervisors and 447 officers was reduced to 39 and 367 respectively between 1785 and 1789. Thereafter, numbers rose and by 1801, there were 48 supervisors and 502 officers.¹³³ These men were constantly checking upon manufacturers in the districts under their charge and the collector himself would make eight rounds of his territory each year to receive the duties. Both the nature of the taxes and the inquisitorial form of the assessment made the gaugers heartily loathed.¹³⁴ In addition to its land force, the Board controlled a small fleet of yachts.¹³⁵

In theory, all the appointments and promotions were in the gift of the commissioners who would nominate in rotation to vacancies as they arose.¹³⁶ In practice the Treasury was increasingly prone to writing to the commissioners recommending the appointment or promotion of named individuals.¹³⁷ Often these letters were sent

in response to the badgering of Scottish politicians at the Treasury, wishing to have their own friends pressed forward.¹³⁸ The commissioners had never liked this and there are clear instances of the Treasury pressing forward singularly unsuitable candidates. In 1789, for instance, the commissioners had had to sack Gabriel Kay, a gauger who had only months before been recommended for promotion by the Treasury, after pressure by the Duke of Gordon.¹³⁹ The commissioners tried to resist. In 1793, Graham wrote to Dundas directly, outlining objections to a recommendation for an examiner, Robert Carrick, to be a supervisor.¹⁴⁰ In February 1796, the commissioners wrote to the Treasury, pointing out that with an establishment of 520 officers, they already had a waiting list of 140 expectants, a list that Treasury recommendations served only to lengthen. The length of the wait not only made impecunious expectants vulnerable to the bribes of manufacturers whom they might later be surveying, it also blocked the aspirations of the sons of serving officers. The Treasury promised to moderate its demands, but after an interval the practice resumed.¹⁴¹ In this field, at least, Treasury influence was expanding.

The vast bulk of appointments still remained with the commissioners, however, and if the Treasury sometimes made unfortunate recommendations, those of the commissioners were worse. Many were clearly to gratify political connections and a list sent to Dundas shows six appointments to the service made in 1793 at his request. Five were clearly to benefit other politicians.¹⁴² There is no reason to doubt that many other appointments were made on a similar basis. Added to this was the miserable pay. In 1787, a gauger received £35 annually, a sum unchanged since 1726. There were

raises subsequently but the pay was never adequate to remove the temptation, even necessity, to take bribes.¹⁴³ Salary and recruitment system combined to produce a force of

"maenial [sic] servants, misfortunate tradesmen, or manufacturers &c., who have hitherto composed too large a proportion of those honoured with excise commissions".¹⁴⁴

As senior posts fell vacant, so they too were filled by the commissioners, who were again subject to influence and outside pressure. The results were disastrous. In 1798, while publicly backing his fellows in their stand against Treasury interference, Commissioner Graham privately circulated many of the senior officers with his own plan for a sweeping reform of the appointment and promotion system. He proposed that promotion should be by merit alone, something not enforceable under the current system, and he had various ideas as to how it might be operated. The plan struck a chord with several correspondents and produced evidence of dissatisfaction with the quality of men reaching supervisor's rank.¹⁴⁵ Graham collected these replies in 1799 and added his own thoughts. He wanted a system where unsuitable men could not be promoted, could indeed be fired, and where the original appointments would come from the Treasury, who "should have it in their power to attend to the recommendations of those who support government wherever it can be done without prejudice to the public". He wished for a salary increase to the staff and suggested that a general investigation of these matters might be undertaken by an outsider.¹⁴⁶ Professedly impersonal in its comments, his letter was a severe censure on the practices of his fellow commissioners. In part, it was probably a response to the

enquiries of the Select Committees on Finance of 1797 and 1798 but it probably also reflected splits on the Board. It may in some way be connected with the extraordinary influence that the Lord Advocate acquired over excise appointments for a brief spell at this time.¹⁴⁷ In the end, nothing came of Graham's plan and the system resumed its old path.

At no point in his discussion did Graham touch on what was probably the worst abuse in the excise promotion system, the corruption that it encouraged. There was a suspicion that some lesser officials undercharged manufacturers under their survey, knowing that these individuals might be able to forward their careers through exerting influence with the commissioners.¹⁴⁸ Worse, it was widely believed that promotion could be obtained by bribing the Board. It may be to this that General Supervisor John Leven alluded in 1797, when he wrote to Pitt,

"Much, very much improvement might be made in the Revenue of Scotland; but, as any observations I could make upon that point would chiefly concern the Board and their Solicitor my very dependent situation make it too dangerous a subject for me to interfere with, without high countenance and protection".¹⁴⁹

For years it was rumoured that many of the lesser staff of the excise were indebted to traders under their survey, because they in turn were making forced loans and gifts to their collectors and general supervisors in order to get advancement. This hardly encouraged diligent survey work and it was said that the system of bribes went all the way to the commissioners. Further, several excise collectors were supposed to have shares in businesses under their survey.¹⁵⁰ The Dundases were aware of

the ill repute of the excise. In June 1804, alerted to another "job done at the excise office", concerning an appointment in the comptroller's office, the Chief Baron advocated the dismissal of Commissioners Wharton and Fotheringham.¹⁵¹ Nothing was done. In 1807, an astonished supporter of the Talents Ministry learned from James Dundas, Examiner of the Excise Yacht Accounts,

"that every officer of excise, who looked for favour in preferment, found it necessary, & was expected to supply the Secretary with articles of consumption, the product of the district in which he was employed, ..."

He also heard of

"such abuses & malversations, not only in the Secretary's office, but at the board itself, as I thought it my duty to communicate ... to our friends in office; but I found them in full possession of the same facts through a different channel".¹⁵²

The Talents were out of office before any good intentions could be effected and the storm when it came, broke from within.

Early in 1808, Robert Graham wrote to the Treasury, justifying his conduct in the removal of an excise yacht commander. In doing so, he made a series of allegations about frauds and improper appointments to the yachts made by his fellow commissioners. The Treasury ordered an investigation to be held in camera by the Lord Chief Baron and the Advocate and they further ordered an examination of the repeated rumours that the commissioners were in the habit of receiving presents and loans from subordinate staff. The enquiry commenced on 13 July 1808 and a two volume report was sent to the Treasury on 5 October.¹⁵³ The results were extraordinary. None of Graham's allegations against his colleagues

were substantiated but the investigation turned up other discrepancies. Various proceedings brought to light concerning Graham meant that he could not be continued at the Board. Stodart's personal financial difficulties had led him into improper activity and Stuart was found to have taken loans from subordinates. All three were sacked. Fotheringham, who had at one point passed the accounts of a man later sacked, narrowly escaped. Adam Pearson, Secretary to the Board, was also dismissed and only Wharton came out totally unscathed.¹⁵⁴

In England, the excise department was more efficient than any of the other revenue departments.¹⁵⁵ This cannot have been true of Scotland, where what was apparently endemic corruption must have been detrimental to the collection of the revenue. Historians have debated whether it was better for revenue appointments to flow from the Treasury or from local commissioners.¹⁵⁶ Certainly, a comparison between the systems for choosing men in the late eighteenth century Scottish customs and excise services would suggest that a Treasury appointment system fared better.

In other respects, the excise may have been little worse than its fellow departments. In April 1790, a speech by an English MP denouncing the failings of the Scots excise provoked a long letter from the commissioners to Dundas. The complaints had hinged on the apparently small amount of revenue collected and the commissioners pointed in their defence to the enormous proportionate rise in their takings since the Union. They also pointed out that the accounting system brought the sums paid by Scots for certain goods, notably tea, to account in the English revenue. Further,

the great difference between the English and Scottish populations, and the fact that money remitted to London excluded sums raised in Scotland but used locally for paying drawbacks, bounties and the Civil Establishment, both contributed to make the Scottish revenue look much lower in comparison to the English. In general, the commissioners pronounced themselves pleased with their officers' exertions and noted that far from being remiss, the service as a whole had to endure repeated complaints of rigour and severity.¹⁵⁷ It was a well argued defence and in terms of the particular accusations, apparently a reasonable one. We have seen that Pitt's reforms of the 1780s had some effect on smuggling and the excise probably benefited. Thus in 1793, the trade in wine was "almost drop't".¹⁵⁸ The war had a detrimental effect. Tobacco smuggling rose and the excise fleet had to be expanded to try and cope with a general rise in contraband trading.¹⁵⁹ Again, it is only fair to say that, as the customs service also knew, the task of properly patrolling the Scottish coast was an impossible one.

In one range of duties, those on distilled spirits, popular demand, public policy and the failings of the excise itself, all combined to produce a shambles, a detailed examination of which gives a revealing insight into eighteenth-century politics and administration.

Public demand for whisky had been rising since the mid-eighteenth century and when legal production increased dramatically in the 1770s, government began to take a close interest in the possible revenue.¹⁶⁰ Gradually, tax rates were raised and from 1781, private distillation, hitherto popular and widespread, was prohibited.¹⁶¹ At this period

several considerable distilling concerns set up in the lowlands. Latterly known as "the Great Distillers", the most prominent was the group centring on two related families, the Steins and the Haigs.¹⁶² In retrospect, it would be claimed that this legislation had failed and that illicitly distilled whisky came to dominate the Scottish market, while an increase in tax revenue actually came from Scottish sales of legal output in England.¹⁶³ The Highland dearth of 1782-3 led government to raise duties further to lower demand for grain and this reduced revenue.¹⁶⁴ Meantime the lowland distillers continued to make inroads into the English market.

When Pitt came to office, problems were apparent with the Scots distillery industry. The lowland operators were showing a disposition to trickiness in resisting the attempts of excise officials to survey them, while everywhere illicit output was increasing. Pitt's "Wash Act" of 1784 addressed both problems. In the lowlands, duties were lowered but were levied on the wash used, not on the output. This simplified the gauger's work and his powers were increased. A highland region was defined, within which stills of 20-30 gallons capacity were allowed, licensed at £1 on each gallon of capacity. They were to use only local grain but were 'exempted' from paying malt duty. These concessions to the highlands were a recognition of the particular economic problems of the region and aimed both to encourage agriculture and improvement and to convert illicit producers into legal manufacturers. Finally, Pitt ended the privilege long enjoyed by Forbes of Culloden of producing whisky tax-free at Ferintosh.

The act of 1784 was to be renewed in 1786. In the interval, the highland concessions were slightly reduced by an act of 1785 that restricted sales to the highland zone and limited the number of stills allowed per parish.¹⁶⁵ By now, the lowland distillers were engaged in a hard contest for the London market. It was feared that the English distillers would persuade English MPs to press for heavier duties on the Scots and this proved to be correct. The legislation of 1786 was a compromise between the rival distillers, made with Pitt's consent. The English had proved that the Scots had evaded duty and in consequence the system of licensing stills by capacity was extended over all Scotland. The lowlanders paid 30/- per gallon, the highlands continued at £1. An additional tax was placed on exports to England. These new duties caused the Scots little trouble but in 1788, the English distillers obtained another tax increase on Scots exports and saddled them with other disadvantages.¹⁶⁶ This and the price war bankrupted the Steins and the Haigs. When they resumed trading in the 1790s, they would concentrate on the Scots market.

The years 1784-8 established the main problems for the excise service in dealing with the distilling industry. Now that tax was on still capacity, it paid distillers to produce as much as possible, lowering the average tax per gallon of output. By introducing new technology they could discharge their stills 10-13 times in 24 hours. This was in 1793. By 1799, some could do it 100 times in 24 hours. In general, such gadgetry was confined to the larger lowland distillers, with middling producers operating at slower speeds and highland manufacturers slower still.¹⁶⁷ A crucial consequence of this flood of output was a pronounced decline

in quality and a rise in demand for the better highland whisky, even although it remained more expensive and was not supposed to be sold in the lowlands.¹⁶⁸

For the politicians, the rapidly developed alliance between the distillers and the landed interest posed problems. At full production the lowland industry had a vast grain consumption and the operations of the Scots corn law seem to have thirled them more firmly to Scottish, as opposed to English, grain.¹⁶⁹ As

early as 1785, a fall in lowland distilling led some to fear that rents might be unpaid by tenants unable to sell corn and cattle (the distillers fed great herds on their refuse) and the 1788 bankruptcies caused similar problems.¹⁷⁰

Nor were the lowland distillers slow to indicate to government the way in which their problems could become the problems of lowland landowners.¹⁷¹ The connection between the legal

licensed distillers in the highlands and their landowners was exactly the same and they were united in a desire to preserve the special privileges afforded to them. Highland producers were even more vital as a grain market than their lowland counterparts and the county meetings were always firm in opposing attempts to raise highland duties.¹⁷² In these years, an extended struggle

took place between highland and lowland interests. In 1785, George Home denounced the highland privileges: "in process of time there will be a Fairintosh in every highland parish".¹⁷³

So it proved, as highland whisky flooded South and East.

Contemporaries disputed its significance. Lowland distillers claimed that it much reduced their market. There was no doubt that the highlanders had a licensed capacity to produce far

beyond their consumption, something that government recognised.¹⁷⁴ The lowland distillers had some success in mobilising politicians against the highland privileges, in particular William McDowall of Garthland, but the highland landowners publicly dismissed such claims, denying that there was a smuggling problem and arguing that attempts to raise highland duties and end their privileges reflected the lowland distillers' aim to monopolise whisky output and control local grain markets.¹⁷⁵ The accusation was probably true but the defence was disingenuous. By 1796, the Lord Advocate was convinced that unless the highland 'exemption' was ended, the lowland distillers would be ruined and spirits "must remain as much a drug as ever". The Excise Commissioners had always regarded the exemption as an experiment and were heartily sick of it. Some highland producers were using good quality lowland grain to make whisky that was then moved South for sale. "I can see no remedy", wailed Commissioner Stodart, "unless a wall could be drawn across the country as of old, with stations for an army of excisemen to guard it".¹⁷⁶ A Glasgow brewer pointed to another abuse, evidence that some lowland distillers had concealed interests in highland concerns and sold highland output as their own.¹⁷⁷ He reckoned that three quarters of highland production was sold in the lowlands in 1796, and in 1797 a major lowland manufacturer claimed that the market was so swamped with smuggled highland spirits, that he and his fellows could scarce sell enough to pay their workforce.¹⁷⁸ Even allowing for exaggeration, it is clear that the system was faltering and various remedies were unavailing.

From 1797, a parliamentary committee sat to consider the whole business of the distillery revenue in Scotland and it heard evidence

from all parties. All the debates of the past decade were repeated and the committee concluded that while a licensing system should remain, the excise should have more supervision of the production process and the highland exemption should be abolished.¹⁷⁹ In fact little was done. The highland privilege remained with all its abuses and the reason is not hard to find. In 1796, the lowland distiller John Stein had denounced the highlanders as "these political favourites" and in 1797, McDowall wrote that "The Northern Potentates will come forward with all their force in favour of beer[;] not what we drink but what they grow".¹⁸⁰ Quite simply, government did not wish to incur the wrath of the highland landowners by ending the privilege in which they had such a vested interest. The highland/lowland disputes would continue but they would be temporarily muted by bad crops, which forced government to prohibit all distilling in 1800-1, 1804-8, and 1809-10. In pushing the general problem under the carpet, however, government clearly subordinated the best interests of the revenue to those of politics.

The above discussion solely concerns the licensed distillers. Scotland also had a vast illicit industry. The legislation of 1786 was for a time apparently successful in suppressing such activity, particularly in the highlands.¹⁸¹ Success was not total, however, and a resurgence in the mid-1790s was related to the prohibition of legal production during the dearth of 1795-6. In December 1795, alerted to a massive outbreak of illicit distillation in the areas around Perth, Stirling and Falkirk, the Treasury ordered a crackdown.¹⁸² This went on for some time and had local successes¹⁸³ but by 1797, John Stein was claiming that one half

of the whisky consumed in Scotland was illicitly produced.¹⁸⁴ The illicit distillers were benefiting both from the appalling quality of lowland legal output and from the continuing tradition of private distilling, the banning of which in 1781 had never been popular. Production facilities were easily available and considerable quantities went to market, some of the highland output being moved South by convoys of armed smugglers.¹⁸⁵ It never proved possible to stamp out the small stills. Particularly in the highlands, they enjoyed the connivance of landlords who could hope to receive the distiller's profit as rent, and a JP was hardly likely to punish men to whom he was selling his grain crop.¹⁸⁶ There was also clear evidence that excise officials were colluding with smugglers. Some contrived to confiscate redundant equipment, leaving the working stills. In this way, the poorly paid excise officer could regularly obtain rewards for 'diligence' in a comfortable arrangement that caused little inconvenience to the distiller.¹⁸⁷ As early as 1797, a despairing James Stodart had seriously suggested that the excise might be better off if the highlander was again given permission to distil privately without duty in stills of two gallons or less. It was a testament to the straits to which the administration was reduced.¹⁸⁸

Despite all the abuses, the distillery was very profitable to government. The duty on lowland still capacity was raised progressively from £1. 10/- per gallon in 1786, reaching £108 in 1800. It seems that these increases winnowed out many lesser distillers over the years, much to the approval of the major firms.¹⁸⁹ Indeed, the major distillers usually managed

to keep pace with tax demands and the Excise Commissioners and the politicians came to take an increasingly jaundiced view of their claims of impending ruin at each successive tax increase.¹⁹⁰ It was also well understood that these men were not above fraud themselves.¹⁹¹

The actual revenue to government rose steadily in these years and in 1799 and 1800 legislation was introduced to levy an extra tax on production excesses. In this way, it was hoped to choke off the distillers' ability to profit by rapid distillation. It seems to have had some success, for revenue rose dramatically from £255,000 in 1799 to £1,444,000 in 1800.¹⁹²

Raising revenue had not been the sole objective of government in its dealings with the industry, however. The raising of taxes was avowedly also to try and cut spirit consumption. In this government failed dismally, not least because the distillers always managed to keep their sale price well below the prices calculated by government when setting the tax. By the time an attempt was made to head off this problem with taxes on excess output, the damage was done and whisky drinking was widespread. Throughout the 1790s commentators were alarmed by the amount of drunkenness in the lower orders and some equated the persistence of radicalism with cheap liquor.¹⁹³ John Stein might argue that the morals of the people had not suffered by the legal distillery, that they would drink spirits regardless of origin,¹⁹⁴ but it was not the common impression.

The land and assessed taxes in Scotland in 1797 produced a gross receipt of £104,062. The actual collection was made by

county collectors who remitted the sums raised to the Receiver General in Edinburgh. The modes of assessment for the two basic taxes differed, however.

The Scottish land tax was set in 1707 at £48,000 annually when the English land tax was at 4/-. To this was added the cost of collection.¹⁹⁵ The 66 Royal Burghs paid one-sixth of the total and their annual convention apportioned liability among them. The annual land tax act stated the amount due from each county and the county commissioners of supply divided the burden among the local landowners, in proportion to the valued rent of their several properties. The total valued rent for Scotland - in effect a rateable value - had been fixed since 1667 and when estates were altered by sale or purchase, it fell to the commissioners to determine the relative changes in valued rent on the properties concerned. The commissioners were all local landowners, men possessed of land of a valued rent of £100. They chose the county tax collector and the infrequent elections could sometimes become trials of strength between county politicians assessing potential support for future parliamentary contests.¹⁹⁶ The administration of the land tax was never totally smooth.

The tax itself was comparatively high, since it was levied as a percentage (1-1½%) of the valued rents, which were themselves considerably higher than the real rents until near the close of the eighteenth century. Arrears that built up were carried forward.¹⁹⁷ There were also difficulties in recovering such arrears by use of law.¹⁹⁸ The county collectors received a salary from the commissioners for collecting the land tax and a poundage for the assessed taxes but they could also make profits on the

balances retained. Nonetheless, in the late 1780s, their lot was difficult. They were much oppressed by the work entailed in collecting Pitt's new assessed taxes and pursued an improvement in remuneration.¹⁹⁹ By the end of the century, things had improved and the land tax redemption and income tax acts had raised the Aberdeenshire Collector's income from £70 annually to over £800.²⁰⁰ By the new century, the post could be described as "laborious" but an Exchequer report of 1805 described it as "an office of considerable emolument".²⁰¹ The retention of balances by collectors could produce problems, however. If one went bankrupt, as happened in Ayrshire in 1797,²⁰² the losses could be serious. The retaining of balances at a lower level was, as we have seen, mirrored in the practices of the Receiver General and the consequence was prolonged delays in remittances to London. In 1780, the Scottish land tax was 2½ years in arrear, a deterioration that continued.²⁰³ The tax was made perpetual in 1798, subject to redemption, but the work of collecting the unredeemed tax and the assessed taxes continued.

The assessed taxes in 1788 included levies on windows, inhabited houses, shops, male and female servants, carriages, carts and horses. The commutation tax, levied on windows, was a substitute for the much reduced tea tax of 1784.²⁰⁴ The assessments for Scotland for 1787-9, anticipated annual revenues of about £60,000 annually and by 1801 the figure had risen to £197,528.²⁰⁵ This increase was a direct consequence of Pitt's policy of financing the war as much as possible through taxation rather than borrowing.

The assessment of these taxes was directed by the Tax Office in Edinburgh. This answered to the Tax Office in London and from thence to the Treasury. While it was accountable to the Barons of Exchequer as were the other boards, the barons also took a close concern in its functioning and organization.²⁰⁶ The Edinburgh office had two surveyors general, three inspectors general, a comptroller and a solicitor. The surveyors general supposedly checked the surveys sent in by the county surveyors but in practice James Durham and John Carruthers, who held the posts for most of the period, left the work to their assistant. In 1785, the barons had made them pay him additional money for his work and about 1799 their places were ordered to be abolished, although Carruthers was still in post a decade later.²⁰⁷ The inspectors general were more active, receiving an increase in their travelling allowances in 1790. Of the three in that year, one, William Tovey, can be identified as a political appointment, made by Dundas to gratify Sir William Murray of Ochtertyre.²⁰⁸ The Comptroller of Taxes for many years was the conscientious Henry Mackenzie, the novelist and brother-in-law to Sir James Grant of Grant.

In 1787, the organization in the country consisted of twenty surveyors with salaries ranging from £22 to £82.²⁰⁹ The increase in business over the next twenty years saw a continual expansion of the force and by 1805 there were 43 surveyors, with the barons advising that further division of the districts was necessary.²¹⁰ In 1790, the Treasury admitted that the salaries were "barely sufficient to maintain them when in health" and their lot was a little improved over the next decade.²¹¹

The surveyors had always been appointed by the Treasury, who had taken the recommendations of the barons. In 1782, the barons had remonstrated at an unsuitable appointment made against their recommendation and were told that in future their advice would again be attended to.²¹² In practice this did not happen. As in the Scottish excise appointments, the Treasury was extending its patronage and the surveyors fell under it. There is some confusion for parts of the 1790s, when the barons, in asking appointments for their own clients, would ask them from Dundas.²¹³ They certainly retained the power to make interim appointments to vacant posts.²¹⁴ In the main, however, the surveyorships seem to have been dispensed by the Treasury much as were the customs posts, with MPs friendly to government having the local nominations. Again it seems that Dundas generally only became involved where there were disputes.²¹⁵

Prior to 1801, when additional duties lengthened the time taken and prompted calls for a salary increase, the surveyors took about three months of each year to travel their districts, assessing liability for the various taxes. By 1801, each man covered about thirty parishes, a job that in England would be done by two surveyors and sixty assessors. The law had always allowed for the appointment of assessors by the commissioners of supply but it had never proved possible to find and recruit suitable men and so the work devolved largely on the surveyor. He made two copies of his assessment, giving one to the county land tax collector, the other to the Edinburgh office. Even when running at optimum, the long time it took to survey and collect these taxes was always a complaint against the system.²¹⁶

Crucially, for eighteenth-century sensitivity, the mode of assessment was supposedly simple and did not invade a gentleman's privacy. There was evasion. Some taxes were very unpopular, notably the female servant tax imposed in 1785.²¹⁷ In 1797, Anthony Macmillan, a former surveyor, reckoned that perhaps £10,600 of assessed taxes went unpaid, partly through evasion, partly through erroneous charging and mainly through the overworking of the surveyors. His proposed solution was to enforce the appointment of assessors to ease the burden.²¹⁸ If accurate, his guess suggested that 11% of the possible revenue was going unpaid.²¹⁹ The Select Committee on Finance of 1797 criticised the disproportionately high cost of collecting these taxes in Scotland, although the Scottish officials argued that the Committee's calculations were erroneous.²²⁰ Very little was done, perhaps very little could be done, given the peculiar difficulties posed by the local administrative problems. Pitt proposed but abandoned a bill to obtain faster collection and remittances, and the only significant improvement was the introduction in 1798 of consolidated tax schedules, an administrative device that reduced the surveyors' paperwork.²²¹ Otherwise, the government's response to the problems caused by the growing burden on the surveyors was, as we have seen, continually to split districts and appoint additional men. The war years had added numerous new taxes. Macmillan had indicated the farm horse tax, the dog tax and the clock and watch tax, and from 1801, duties on horse dealers, armorial bearings and hair powder were transferred from the stamp administration to the assessed taxes.

The war led Pitt to new departures in taxation. In 1798, he encouraged the Contribution Act (above, chapter three) and he also tried to broaden the tax net. From May 1798, the inhabited house tax was to be levied in Scotland on all houses with less than six windows. This had never been done before and the Scots politicians gradually realised that the lower orders would be unwilling and unable to pay. Attempts to enforce payment would stir discontent and, fearful of giving ammunition to the radicals, the tax was dropped, the Treasury returning what had been paid.²²²

Pitt's Income Tax was his greatest departure. The first tax, imposed in 1799, levied a graded rate on people earning between £60 and £200 annually. Over this, it was exacted at a flat 10%. Individuals simply returned a statement of their self-assessed liability to the local income tax commissioners and the money was collected by the land tax collector. If the commissioners doubted any return, they could call for a precise schedule of an individual's income. There were commercial commissioners resident in Edinburgh and any individual earning his income largely from commerce could opt for assessment by them.²²³ In Scotland, each county had five income tax commissioners, chosen by the Barons of Exchequer from lists provided by the county commissioners of supply to the London Tax Office. These appointments were apolitical, save in Edinburgh where a dispute arose between the barons and the town council as to the right of appointment, a struggle certainly related to current ructions in city politics.²²⁴ The local commissioners had powers to appoint assessors²²⁵ but difficulties in finding men commonly

led to the assessed tax surveyors doing much of the work.

The income tax was so original that teething problems were inevitable. Henry Mackenzie discussed them in two reports of 1800 and 1801. The principal problem was in finding commissioners. The property qualification was too high and non-residence by many landowners meant that there was no great pool from which to draw men experienced in business matters. Mackenzie was conscious of evasion and called for a system of uniformly requiring a detailed income schedule from each taxpayer. This had been tried in one county with favourable results and he wanted stiffer penalties for attempted evasion. There was a suspicion of much evasion by the commercial classes. The delay in paying assessors and the failure to afford expenses to the commissioners was a constant complaint, while certain features of Scottish economic life contrived to make parts of the income act inoperable. No tax was levied in Shetland, for instance. Nonetheless, while inequality of assessment was complained of in Scotland, it was probably less than in England and overall, Mackenzie found "the principle of the tax is in general very popular". He even felt it could be broadened to include many earning less than £60 annually.²²⁶ Nothing was done about any of this before the tax was abolished with the end of hostilities in 1802.

When Addington reintroduced it in 1803, it was called Property Tax and the format was different. It was levied at source, all income had to be detailed on a schedule, income itself was more stringently defined, and the basic tax was set at 5%. The amounts levied rose greatly. The net assessments for Scotland grew from

£295,145 in 1804 to £779,475 in 1808, and not all of this was due to adjustments in the rates or of liability to pay.²²⁷ Again there were difficulties finding assessors in Scotland and the tax surveyors often had to do this work.²²⁸ Probably evasion was much harder, for the tax fell in popularity as time passed.²²⁹ Overall, it seems fair to conclude that the income and property taxes were as well administered in Scotland as in England and as efficiently as was likely under eighteenth-century conditions.

Addington's other ventures with assessed taxes were less successful. The temporary loss of the income tax in 1802 led to the imposition of several additional taxes, further overloading the county surveyors. One duty, the inhabited house tax of 1802, repeated Pitt's mistake of 1798, by placing a 4/- levy on the houses of cottars and farm servants in Scotland. These people had no hope of paying - it was quickly named the "Beggars' tax" - and the Scots ruling classes saw this. Addington was quickly forced to order the suspension of the act where it touched the poorest Scots.²³⁰ Similarly misguided was his attempt to remodel the assessed tax administration on English lines. An act of August 1803 aimed to remedy the obvious defects of the Scottish system, slowness of assessment and collection, by making the commissioners of supply appoint assessors for each parish. The commissioners' clerks were also to make copies of the county assessments for both the tax collector and the Exchequer Court. If the commissioner failed to appoint assessors, alternative arrangements were detailed to get the work done. There were serious problems. It was, as always, impossible to find enough assessors

and the work inevitably fell to the surveyors. The clerks of supply knew little of tax law and, if of any ability, already had enough local legal business to occupy them. That the assessments were no longer checked in the Edinburgh Tax Office was a retrograde step. As Henry Mackenzie pointed out, several of these ideas had been introduced, found wanting and discarded when the assessed taxes were first levied fifty years before.²³¹ Addington's apparent belief that English medicine would cure Scottish ills was much mistaken and in a report of 1805, Mackenzie detailed a variety of alterations needed to make his legislation effective in Scotland.²³² By the time the full failings were apparent, Addington was out of office and his successors were left to sort out the mess. It fell to the barons to pronounce upon the stupidity of treating Scotland as a Northern province of England:

"we cannot help observing that of late several acts have been passed relative to Scotland, the provisions of which are in many instances but little adapted to this country..."²³³

Last of the Scottish revenue gathering bodies was the Post Office with a gross receipt of £78,287 in 1797, collected at a cost of £14,983. The Edinburgh office answered to the Postmasters General in London and was headed by a Deputy Post Master General, who in 1797 received a salary of £800 and a small sum from banking his receipts.²³⁴ The Deputy Post Master was appointed by his seniors in London but they would take government advice on the choice and it was a place which "should be fill'd by a Scotchman firmly attach'd to Government".²³⁵ Between 1784 and 1806, there were four holders, including Thomas Elder, former Provost of

Edinburgh.²³⁶ A secretary, a solicitor and other officials completed the head office staff.²³⁷ The country administration consisted of numerous local postmasters and postmistresses who collected the local dues. Most were appointed by the Postmasters General in London, who usually appointed alternately to vacancies and apparently took advice from their Edinburgh deputy.²³⁸ In practice, this meant that local interests friendly to government would normally receive the appointments for their friends. Wrote one politician, "such little appointments ... flowing through me are essential to the stability and continuance of that certainty with which I hold and mean to hold the county against any interest in it".²³⁹ Save for their concern at the slow remittance of money to London, the Select Committee on Finance of 1797 seems to have been satisfied with the department's work and its history at this period is one of expansion and broadening services.²⁴⁰ Evasion and malpractice were as much present in the postal service as in the other branches of the revenue, however, and it was the job of two surveyors to keep a close eye on the service. The very low salary afforded to the local staff, as in the excise, did not always attract the best recruits.²⁴¹

One remaining board sat at Edinburgh, that of the Trustees for Fisheries and Manufactures. Established in 1727, the twenty one Crown appointees oversaw the disposition of funds for improving the Scottish textile and fishing industries.²⁴² Their income came from three sources, an annual sum of £2,000 taken from the customs and excise, surpluses on the malt tax levied in Scotland over £20,000, and about £3,000 annually from a British fund for encouraging flax cultivation.²⁴³ Their expenditure was made

according to three-yearly plans, approved by the Treasury, and annual accounts had to be rendered as each plan progressed.²⁴⁴

The trustees had neither profit nor patronage.²⁴⁵ There was no salary and whereas earlier in the century, the appointment of local stampmasters who oversaw the quality of linen marketed had been an important source of patronage to the trustees, this does not seem to be true of the Dundas years.²⁴⁶ The Board was ill-attended, causing constant bother to its conscientious secretary Robert Arbuthnot.²⁴⁷ Lord Balgonie agitated for a seat but a year after his appointment had still to be seen at the Board.²⁴⁸ In early 1796, Arbuthnot was pressing for a vacancy to be filled but it was almost nine months before the Lord Advocate and Portland properly considered the matter and Portland felt Arbuthnot's complaints were exaggerated.²⁴⁹ Portland was prepared to prompt absentees to resign completely but nothing was done and in 1808 most of the Board's work was done by five trustees.²⁵⁰

Political considerations do not seem to have entered much into choosing trustees. Dundas was prepared to use the offer of a trusteeship to influence the Glasgow election of 1784,²⁵¹ but the main consideration in appointing was whether or not the candidate would attend to his duty. Sir John Dalrymple was angling for an appointment for years and eventually got one despite widespread misgivings, probably because his attendance was guaranteed.²⁵²

The importance of the Board's work is harder to judge. Most of its attention was devoted to linen rather than to wool or fishing and Durie has concluded that its most important days were in the take-off period of that industry. By the late century,

the Board was dwarfed by the industry it had helped foster and so was relatively less important.²⁵³ Nonetheless, contemporaries took its activities seriously. In fact, the most important government prop to the linen industry at this period was the bounty paid on the export of coarse linen. The anticipated depression when its removal was considered in 1788 caused considerable concern in the centres of linen production.²⁵⁴

The Scottish fiscal administration had so many diverse elements that it is difficult to reach broad conclusions about the whole. Each had its own problems and peculiarities but some elements were common to the wider system. The Scottish political nation seems largely to have been indifferent to the operations of the administration as a whole, provided that it continued to produce patronage and perquisites to themselves and their friends and did not impinge upon their personal interests. Dundas was as guilty of this as any other and in 1790 Ramsay of Barnton, the banker, recorded rumours that the Arniston clan and their relatives enjoyed offices and pensions worth £23,000 annually.²⁵⁵ We have met some of them above. The consequence of this attitude was the continuing politicisation of appointments. This was nothing new but it seems to have reached extremes in Dundas's time. Where limited standards were maintained in senior appointments, as with the customs, the services seem to have functioned acceptably, at least by contemporary standards. Where senior ranks became dominated by political appointees, as seems to have happened at the excise, catastrophe could ensue.

This indifference also manifested itself in the way in which political and institutional problems were allowed to frustrate revenue collection. The absurdity of the salt laws and the fiasco of the distillery legislation were well understood but there was no determined effort to get at the roots of the problems. Too many vested interests were at stake. Similar vested interests bedevilled attempts at administrative reform. The Select Committees on Finance of 1797 and 1798, which have been much mentioned above, were convened to determine ways of improving the financing of the war. Indeed the fantastic cost of the war, with its demands on all the revenues studied above, was the main cause of what improvements there were to the Scottish administration. These were few enough. A few sinecures were marked for abolition when their current holders died and some management costs were cut. Perhaps the most significant change was the success in at least curtailing the use made of public money for private profit by the various collectors and receivers. Otherwise the system was left untouched. This was partly a reflection of the limited vision of conservative reformers, for there were many offices that could have been swept away at considerable saving. Mainly, however, change was avoided because a serious shake-out would inconvenience too many influential people. Pitt would again consider administrative reforms in 1805,²⁵⁶ but their scope and effect was equally limited. Too many people had a vested interest in the comparative stagnation of the Scottish system.

It is clear that certain institutional factors made some Scottish revenues difficult to collect. Of these, probably the

most significant was the high incidence of non-residence among Scottish landowners, when the effective collection of many taxes required their presence. That so many tax laws were based on English principles was no help and English ignorance of Scottish conditions was clearly a factor in making some legislation either unworkable or inappropriate in Scotland. It was English opposition that prevented the establishment of a full Stamp Office in Edinburgh. Nonetheless, there were enough Scottish politicians at Westminster to represent these points and yet, even with Dundas in the Cabinet, they failed to do so. To some degree entrenched English interests had the better of the Scots. But the Scottish representation in London was predominantly that of the landed interest and they may not have been interested in pushing matters that would often give their principal benefits to the growing commercial classes. It was another form of the indifference discussed above.

The story of the revenue in Dundas's time is essentially one of the eighteenth-century system ticking over, with occasional adjustments and modifications. Fundamental reform would come only later.

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59. SRO, Treasury Outletter books, RH2/4/480, p. 62, Thomas Steele to Robert Allan, banker in Edinburgh, 14 July 1786 (copy).
60. SRO, Melville, GD51/5/364/11/32, John Robertson to Dundas, 28 September 1799.
61. NLS, Melville, Ms 1058, ff. 62-3, James Brand to Alexander Allardyce MP, 27 June 1799; BL, Grenville, Add Mss 59263, ff. 54-9, Dundas to Duke of Atholl, 30 June 1799 (copy); Pitt papers, PRO 30/8/109, ff. 33-4, Atholl to Pitt, 5 July 1799.
62. For the suitors for office see: SRO, Melville, GD51/5/364/11/27, Earl of Galloway to Dundas, 27 July 1799; ibid, GD51/6/1364/1, Sir William Forbes to Dundas, 22 July 1799. The quote comes from NLS, Melville, Ms 640, ff. 141-2, Alexander Mundell to [Robert S. Dundas], 29 June 1804.
63. SRO, Treasury Outletter books, RH2/4/491, p. 392, Hiley Addington to Convention of Royal Burghs of Scotland, 22 April 1801 (copy); NLS, Melville, Ms 640, ff. 139-40, Robert S. Dundas to [Melville], 3 July 1804; SRO, Melville, GD51/5/364/13/5, Sir William Forbes to Melville, 9 January 1805.

64. For the revenue figures, see note 45, above. Another £81,579 was paid out of the customs and salt revenues for promoting national objects such as fisheries. For the relationship between Treasury and customs, see Pitt papers, PRO 30/8/231, ff. 26-7 "Business Done in the Treasury" [1783].
65. SRO, Melville, GD51/5/364/17/55-6, Memorandum by the Customs Commissioners [1801].
66. Scotland and Scotsmen in the Eighteenth Century from the Manuscripts of John Ramsay, Esq. of Ochtertyre, ed. A. Allardyce (Edinburgh, 1888), I, p. 467; GUL, Ms Gen, 1035/170, Dundas to Smith, 21 March 1787.
67. For Edgar's ribald correspondence with Dundas, see NLS, Melville, Ms 1052; for their early acquaintance, see SRO, Melville, GD51/5/25/2, Edgar to Dundas, 2 March 1796; John Kay, A Series of Original Portraits, ed. H. Paton (Edinburgh, 1837), I, pp. 385-388.
68. For Reid's appointment, see chapter two; NLS, Melville, Ms 18, ff. 54-5, George Rose to Melville, 3 April 1808; *ibid.*, Ms 1059, ff. 216-7, Reid to Dundas, 25 September 1800; SRO, Melville, GD 51/6/1018/1, same to same, 14 November 1794; *ibid.*, GD51/4/501/1-3, letters of Reid to Henry and William Dundas, 21 February 1798-15 February 1799.
69. Ann Arbor, Melville papers, Dundas to Alexander McKonochie, 9 August 1790 (? copy); SRO, Melville, GD51/5/364/15/12, Buccleuch to Robert S. Dundas, 12 February 1808; Cockburn, Memorials, pp. 14-15.
70. Hamilton Muniments, Lennoxlove, NRA(S) survey 2177, bundle 2228, Dundas to Hamilton, 2 February 1786; NLS, Melville, Ms 1072, ff. 42-7, letters of John H. Cochrane to Dundas, 24 August 1793-16 May 1795.
71. SRA, Campbell of Succoth, TD219/6/142, McKonochie to Ilay Campbell, Lord President, 3 April 1789; *ibid.*, TD219/6/208, Dundas to Campbell, 9 December 1790; SRO, Melville, GD51/5/364/1/40 (1-3), Correspondence of McKonochie, Thurlow and Dundas, 17-21 July 1789; Ann Arbor, Melville papers, correspondence of McKonochie and Dundas, 1-9 August 1790, and of Dundas and Thurlow 12-16 November 1790.
72. NLS, Melville, Ms 7, ff. 53-4, Robert Dundas, Lord Advocate to Henry Dundas, 6 October 1795; *ibid.*, ff. 55-6, Philips to Robert Dundas, 26 September 1795; *ibid.*, ff. 57-8, McKonochie to Robert Dundas, 30 September 1795; *ibid.*, ff. 115-6, Robert Dundas to Henry Dundas, 19 March 1796; SRO, Melville, GD51/5/364/8/15, Philips to Henry Dundas, 14 March 1796.
73. SRO, Melville, GD51/5/364/8/18, Sir J. Anstruther to Dundas, 24 March [1796]; NLS, Melville, Ms 1052, ff. 61-2, James Edgar to Dundas, 23 September 1795; Namier and Brooke, HP, III, p. 326; SRO, Melville, GD51/5/364/10/8, Sir Charles Preston to Dundas, 23 January 1798.

74. NLS, Melville, Ms 1059, ff. 189-90, James Edgar to [Dundas], 28 September 1795; SRO, Melville, GD51/5/364/11/21, David Reid to Dundas, 5 June 1799; ibid., GD51/5/364/11/30, Shadrach Moyses to Dundas, 20 August 1799.
75. For Veitch, see William Wilson, Folk Lore and Genealogies of Uppermost Nithsdale (Dumfries, 1904), p. 208. Veitch's name does not appear on a March 1800 checklist of applicants for the commissionership: SRO, Melville, GD51/5/364/12/3.
76. SRO, Treasury Outletter books, RH2/4/480, p. 60, warrant appointing Balgonie as Comptroller General, 23 June 1786; SRO, Bonar Mackenzie and Kermack, GD235/10/1, letters of Balgonie to Dundas, 15 June-2 July 1799; SRO, Melville, GD51/5/364/11/23, Memorial of Richard Gardiner, Assistant Comptroller General, to the Treasury, 10 June 1799.
77. Finance Reports 1798, pp. 763-5.
78. SRO, Customs Quarterly Establishment Books, CE3/15, for the complement at 5 April 1784; CE3/19 for that at 5 April 1806.
79. Some idea of the customs officials' duties can be obtained from E.E. Hoon, The Organization of the English Customs System 1696-1786 (new edition, Newton Abbot, 1968), pp. 7-11; Finance Reports, 1798, pp. 763-4, 769, for proposals of 1798.
80. SRO, Salt Quarterly Establishment Books, CE 12/4, for April 1784 and January 1798. For the salt officials' duties, see Finance Reports, 1797-8, p. 251.
81. Pitt papers, PRO 30/8/231, f. 27, "The Business done in the Treasury" [1783]; SRO, Melville, GD51/5/364/15/47, David Reid to Robert S. Dundas, 16 February 1808; ibid., GD51/5/367/4, "List of Vacancies in the Customs in Scotland in the Gift of the Board" [c. March 1788]; NLS, Melville, Ms 1, ff. 252-3, "Particulars of the Patronage of the Port of Glasgow" [16 March 1811].
82. SRO, Melville, GD51/5/364/8/4, Dundas to Duke of Atholl, 4 February 1796 (copy); Pitt papers, PRO 30/8/154, ff. 156-7, William McDowall to [? Dundas], 5 November 1790.
83. Ann Arbor, Melville papers, Melville to Robert S. Dundas, 27 May 1807; SRO, Melville, GD51/5/364/14/53, David Reid to Melville, 14 October 1807; Pitt papers, PRO 30/8/141, ff. 113-114, Hamilton to [?Pitt], 7 June 1789.
84. See e.g., SRO, Melville, GD51/5/364/2/3, Charles Lockhart to Dundas, 14 October 1790, and Dundas's reply, endorsed.
85. SRO, Melville, GD51/5/367 and 373 are two small bundles of lists of vacancies sent to Dundas over the years. They are probably not complete.
86. See e.g., NLS, Melville, Ms 18, ff. 35-6, George Rose to Dundas, 17 July 1800; ibid., Ms 1053, ff. 50-1, same to same, 25 November 1794.

87. For this dispute and its resolution, see SRO, Melville, GD 51/5/364/9/4, Alexander Allardyce MP to Dundas, 27 March 1797; ibid., GD51/5/364/18/2, Melville to James Ferguson MP, 12 February 1811 (copy).
88. For examples of opposition MPs being excluded from customs patronage: NLS, Melville, Ms 1059, ff. 254-5, William Honyman to [Dundas], 27 December 1788; SRO, Melville, GD51/5/364/15/11, Charles Hope, Lord Justice Clerk to Robert S. Dundas, 10 February 1808.
89. SRO, Melville, GD51/5/364/10/6, James Pirie to Dundas, 23 January 1798.
90. SRO, Melville, GD51/5/364/3/19, James Edgar to Dundas, 21 April 1791. For Leith's status, see ibid., GD51/5/364/11/15, George Cunninghame to Dundas, 25 April 1799.
91. NLS, Melville, Ms 1059, ff. 134-5, Hamilton to Dundas, 16 December 1795 and copy reply [n.d.]; SRO, Melville, GD51/5/364/8/37, John Dunlop to Dundas, 14 November 1796; ibid., GD51/5/364/8/4, Dundas to Atholl, 4 February 1796 (copy); Pitt papers, PRO 30/8/109, ff. 30-2, letters of Atholl and Thomas Graham, MP to Pitt, January 1796; for Aberdeen appointments, see note 87 above.
92. SRO, Melville, GD51/5/364/2/6, Sir James Johnstone of Westerhall to Dundas, 13 August 1790; NLS, Melville, Ms 1058, ff. 115-8, Sir William Pulteney to Dr Adam Fergusson, 2 January 1792.
93. NLS, Melville, Ms 1, ff. 13-14, Sir Alexander Livingstone to [Dundas], 27 September 1788; SRO, Melville, GD51/5/364/2/8, Sir Archibald Campbell to Dundas, 6 June 1790; SRA, Campbell of Succoth, TD219/5/89, Ilay Campbell, Lord Advocate, to Archibald Campbell, 6 August 1789.
94. SRO, Melville, GD51/5/373/2, List of vacancies in the customs and salt duties, 8 August 1797.
95. Ehrman, The Younger Pitt, I, pp. 270, 289-90; Binney, op.cit., pp. 32-3; SRO, Treasury Outletter books, RH2/4/487, p. 251, Memorial of John Macdonald Kinnier, customs comptroller, Bo'ness, [ante 17 November 1794]. For the Scottish campaign against fees, see NLS, Melville, Ms 14, passim.
96. SRO, Melville, GD51/5/364/18/15-16, John Dunlop to 2nd Viscount Melville, 18 June 1811; NLS, Melville, Ms 1058, ff. 145-6, Commissioners of Customs to Treasury, 16 November 1821 (copy).
97. SRO, Melville, GD51/5/364/15/63, David Reid to Melville, 2 April 1808.
98. SRO, Home of Wedderburn, GD267/1/4/51, George Home to Patrick Home, 9 January 1788.
99. SRO, Melville, GD51/5/364/2/3, Charles Lockhart to Dundas, 14 October 1790.

100. SRO, Melville, GD51/5/364/8/32, Robert Barclay MP to Dundas, 22 July 1796; ibid., GD51/5/372/1, Reid to Dundas, 2 August 1796; ibid., GD51/5/372/3, Barclay to Dundas, 7 August 1796.
101. SRO, Melville, GD51/5/364/11/6, copy minutes, Board of Customs, 6 March 1798.
102. SRO, Treasury Outletter book, RH2/4/479, p. 399, R.B. Sheridan to Commissioners of Excise, 4 July 1783. For a recent discussion of the contraband trade, see Rosemary Goring, 'Eighteenth-Century Scottish Smugglers: The Evidence from Montrose and Dumfries', Review of Scottish Culture, no. 3 (Edinburgh, 1987), pp. 53-65.
103. SRO, Melville, GD51/1/354/13, Address of the Tobacco Manufacturers in Glasgow to the House of Commons, 1785; ibid., GD51/1/354/29, Provost Patrick Colquhoun, Glasgow to Dundas, 9 July 1785; Pitt papers, PRO 30/8/124, ff. 217-8, same to same, 5 September 1785.
104. Ehrman, The Younger Pitt, I, p. 243; Pitt papers, PRO 30/8/157, ff. 315-24, Dundas to Pitt, 10 or 13 December 1784.
105. W.A.J. Prevost, 'The Solway Smugglers and the Customs Port at Dumfries', TDGNHAS, LI (1975), p. 64.
106. SRO, Treasury Outletter books, RH2/4/480, p. 92, Thomas Steele to Customs Commissioners, 25 May 1785; ibid., p. 162, George Rose to same, 24 November 1784; ibid., RH2/4/485, p. 488, Charles Long to Commissioners of Excise, 10 November 1791; Prevost, op.cit., pp. 65-6. Similar reports of increased smuggling came from the North: Pitt papers, PRO 30/8/140, ff. 39-42, George Greig, Riding Surveyor, Nairn to [?Pitt], 5 October 1791.
107. B.R. Leftwich, 'Selections from the Customs Records Preserved at Dumfries', TDGNHAS, 3rd ser., XVII (1930-31), pp. 122-3.
108. SRO, Treasury Outletter books, RH2/4/486, p. 79, Charles Long to Barons of Exchequer, 31 August 1792; NLS, Melville, Ms 1059, ff. 187-8, Mrs. Elizabeth Menzies (wife of late Customs Solicitor) to Dundas, 16 August 1793.
109. O'Brien, op.cit., pp. 477-8.
110. NLS, Melville, Ms 640, ff. 178-185, Alexander Osborn to Dundas, 29 November 1793, enclosing "Reasons for allowing English salt to be brought to Scotland at the Scotch Duty". For the background to the whole salt question, see Christopher A. Whatley, The Scottish Salt Industry 1570-1850 (Aberdeen, 1987), chapter 4.
111. SRO, Treasury Outletter book, RH2/4/487, p. 264, Charles Long to Customs Commissioners, 20 February 1795; Pitt papers, PRO 30/8/292, ff. 50-1, "Memo. Salt Duties" n.d. [?1797].
112. Pitt papers, PRO 30/8/157, ff. 315-24, Dundas to Pitt, 10 or 13 December 1784; NLS, Melville, Ms 640, ff. 166-7, Dr. John Roebuck to Dundas, 30 December 1785; ibid., ff. 256-9, Henry Beaufoy to Dundas, with enclosure [?1785]; ibid., ff. 176-7, Lord Selkirk to Dundas, 11 June 1793.

113. Pitt papers, PRO 30/8/120, ff. 90-1, Ilay Campbell, Lord Advocate to Pitt, 26 April 1788; EUL, Laing Mss, Div. II, 500, Customs Commissioners to Robert Dundas, Lord Advocate, 20 September 1793; Whatley, op.cit., pp. 95-6.
114. SRO, Melville, GD51/5/259/1-2, Major Robert Reid Cuninghame of Auchendarvie to Dundas, with memorial, 4 March 1799; Pitt papers, PRO 30/8/317, ff. 162-5, Duke of Atholl to Pitt, 10 June 1799, with memorial.
115. Whatley, op.cit., p. 96; NLS, Melville, Ms 1058, ff. 74-7, James Jeffray to Melville, 25 July 1808; BL, Vansittart, Add Mss 31229, ff. 17-20 [Dr. H. Beeke] to N. Vansittart, 21 July 1800.
116. Pitt papers, PRO 30/8/292, ff. 48-9, minutes of meeting of the proprietors of Scottish salt works, 9 May 1798. For similar sentiments, see ibid., PRO 30/8/270, ff. 66-7, Essay by George Sinclair of Thurso on salt duties and fishing bounties, 1 March 1794.
117. For a table of excisable goods in 1789 and 1790, see NLS, Melville, Ms 14, ff. 82-3.
118. Pitt papers, PRO 30/8/231, ff. 27-8, "The Business done in the Treasury" [1783].
119. Scott, op.cit., p. 88.
120. SRO, Melville, GD51/2/1090/6/8, Brown to Dundas, [1 March 1796]; Fowler Mitchell, op.cit., p. 16; Adam, Political State, p. 308.
121. EUL, Laing Mss, Div. II, 500, Henry Dundas to Robert Dundas, Lord Advocate, 15 November 1794; NLS, Melville, Ms 1072, ff. 203-4, James Stodart to [Dundas], 7 March 1798; SRO, Melville, GD51/5/364/16/14-15, Jane Stodart to Robert S. Dundas, 1 July 1809, with statement of her father's service.
122. Murdoch, People Above, p. 127.
123. SRO, Melville, GD51/5/364/17/40-1, Colonel D. Clephane to Robert S. Dundas, 12 July 1810; ibid., GD51/5/17, Mrs Dorothea Brown to Dundas, 16 September 1795.
124. SRO, Melville, GD51/5/364/15/88, Baron Norton to Robert S. Dundas, 20 December 1808.
125. EUL, Laing Mss, Div. II, 500, Robert Graham of Fintry to [Robert Dundas, Lord Advocate], 3 March 1793.
126. SRA, Campbell of Succoth, TD219/6/92, Henry Dundas to Ilay Campbell, [5 February 1784].
127. NLS, Melville, Ms 59, pp. 126-33, Robert S. Dundas to William Huskisson, 17 October 1808 (copy); Trotter of Bush papers, NRA(S) survey 2709, bundle 25, Alexander Trotter to Robert Trotter of Bush, [1 May 1803].

128. NLS, Ms 59, pp. 126-33, Robert S. Dundas to William Huskisson, 17 October 1808 (copy); Dacres Adams papers, PRO 30/58/5/44, Boyd Alexander MP to [Pitt], 4 June 1804.
129. EUL, Laing Mss, Div. II, 500, Graham of Fintry to Robert Dundas, Lord Advocate, 15 October 1796.
130. SRO, Melville, GD51/5/364/14/12, Lord Justice Clerk Charles Hope to Melville, 1 August 1807.
131. For the Comptroller's office, see EUL, Laing Mss, Div. II, 500, John Stuart to Graham of Fintry, 20 August 1796. For the Auditorship: SRO, Melville, GD51/5/364/15/78, John Wood to Robert Cathcart, 2 August 1808; NLS, Melville, Ms 59, pp. 113-7, Robert S. Dundas to Portland, 14 September 1808 (copy).
132. Finance Reports, 1798, pp. 52-3, 56-9.
133. SRO, Treasury Outletter books, RH2/4/484, pp. 178-80, Commissioners of Excise to Treasury, 13 May 1789; ibid., RH2/4/491, p. 421, same to same, 28 May 1801 (both copies).
134. For their duties, see Binney, op.cit., pp. 36-8.
135. NLS, Melville, Ms 1058, ff. 64-7 and 68-9, consists of two memoranda on the excise fleet and appointments to its ranks, June-July 1802.
136. Pitt papers, PRO 30/8/317, ff. 135-8, John Bonar, Excise Solicitor to Graham of Fintry, 21 September 1798 (copy).
137. EUL, Laing Mss, Div. II, 500, Adam Pearson to Graham of Fintry, 17 May 1793.
138. See, e.g., SRO, Home of Wedderburn, GD267/31/75, Lord Elcho to [Patrick Home, MP], 9 March 1788.
139. Pitt papers, PRO 30/8/139, ff. 33-4, Duke of Gordon to George Rose, 27 April 1789; ibid., ff. 35-6, John Gordon to Lord [W. Gordon], 15 April 1789; SRO, Excise Inletter book, CE9/1, pp. 113, 115, letters of Treasury to Commissioners, 28 April and 29 October 1789.
140. SRO, Melville, GD51/5/364/5/3, Robert Graham to [Dundas], 13 November 1793.
141. SRO, Melville, GD51/5/364/8/11, Commissioners of Excise to George Rose, 17 February 1796 (copy); SRO, Excise Inletter book, CE9/1, p. 185, George Rose to Commissioners, 3 July 1796 (copy); ibid., CE9/1-2, passim.
142. NLS, Melville, Ms 14, ff. 90-2, Robert Graham to [Dundas], 21 January 1794.
143. SRO, Melville, GD51/5/364/1/35, 'Memorial and state of Facts for for Officers of Excise in Scotland ... 1787'.

144. Pitt papers, PRO 30/8/317, ff. 135-8, John Bonar, Excise Solicitor to Graham, 21 September 1798 (copy).
145. Graham's replies can be seen in Pitt papers, PRO 30/8/317. In particular, see ff. 123-6, John Leven to Graham, 14 August 1798 (copy) and ff. 131-2, William Corbet to Graham, 2 September 1798 (copy).
146. Pitt papers, PRO 30/8/317, ff. 142-5, Graham to Sylvester Douglas, 29 August 1799 (copy).
147. EUL, Laing Mss, Div. II, 500, Graham to Robert Dundas, Lord Advocate, 23 December 1797; ibid., Earl of Cassillis to same, 21 April 1798.
148. Pitt papers, PRO 30/8/317, ff. 121-2, James Noble to Robert Graham, 14 August 1798 (copy); ibid., ff. 119-20, Alexander Pearson to same, 11 September 1798 (copy), refers to "the mode heretofore practised of receiving recommendations through the medium of persons unacquainted with the excise business...".
149. Pitt papers, PRO 30/8/318, ff. 129-30, John Leven to Pitt, 4 December 1797.
150. The bluntest statement of these allegations can be seen in two anonymous letters bound in with PRO, Treasury papers, T92/1; written by "A Friend to the Scots Excise", 17 September 1808 and "A Friend to Excise" [c.28 October 1808].
151. SRO, Melville, GD51/2/1091/4/17-18, Robert Dundas, Chief Baron to Melville, 7 June [1804].
152. BL, Grenville, Add Mss 59263, ff. 62-3, Malcolm Laing to Francis Horner, 27 February [1807].
153. The report is at PRO, Treasury papers, T92/1-2. The remit of the enquiry can be read at ibid., T92/1, pp. 1-4, William Huskisson to Robert Dundas, Chief Baron, [] June 1808.
154. NLS, Melville, Ms 59, pp. 126-33, Robert S. Dundas to Huskisson, 17 October 1808 (copy); ibid., p. 206, same to Baron Norton, 11 July 1809 (copy).
155. Binney, op.cit., p. 41.
156. O'Brien, op.cit., p. 374, discusses this debate.
157. NLS, Melville, Ms 14, ff. 79-82, Commissioners of Excise to Dundas, 4 May 1790.
158. SRO, Grand Lodge papers, GD1/1009/18, James Begbie to Sir Hew Dalrymple, 16 October 1793.
159. Pitt papers, PRO 30/8/266, ff. 130-1, R. and J. Gammell, Glasgow to Pitt, 8 January 1796; NLS, Melville, Ms 1058, ff. 64-7, report of the Board of Excise concerning their yachts, 30 June 1802.
160. Two works on the Scottish distillery industry underpin this section: M.S. /

160. M.S. Moss and J. Hume, The Making of Scotch Whisky. A History contd of the Scotch Whisky Distilling Industry (Edinburgh, 1981), and T.M. Devine, 'The Rise and Fall of illicit Whisky-making in northern Scotland c.1780-1840', SHR (1975), pp. 155-177.
161. Moss and Hume, op.cit., p. 38.
162. Moss and Hume, op.cit., p. 51, lists the "Great Distillers".
163. Pitt papers, PRO 30/8/318, ff. 173-180, John Stein to George Rose, 18 November 1796.
164. Pitt papers, PRO 30/8/319, f. 164, "An Account of the gross and net produce of the Distillery in Scotland...", 1761-1797.
165. Moss and Hume, op.cit., p. 45.
166. For the 1786 and 1788 acts, see Pitt papers, PRO 30/8/319, ff. 208-226, "Observations on the Scotch Distillery" by William Sligo, [21 April 1798].
167. Pitt papers, PRO 30/8/135, ff. 116-117, J. Fife to Pitt, 15 March 1793; ibid., PRO 30/8/319, ff. 307-10, James Stodart to [?], 22 November 1796; ibid., PRO 30/8/318, ff. 226-9, same to [Dundas], 28 November 1799.
168. Highland landowners argued that expensive highland spirits could not threaten lowland producers. But lowland consumers knew the difference between good whisky and poison and many paid accordingly. For the highlanders' case, see Pitt papers, PRO 30/8/319, ff. 324-33 [?Sir William Murray of Ochtertyre] to [], [Post 22 November 1796].
169. SRO, Melville, GD51/5/261/2, "Memorandum for the Lord Advocate", 21 October 1799; ibid., GD51/5/192, John Stein to Dundas, 6 May 1793.
170. Pitt papers, PRO 30/8/318, ff. 61-2, Robert Dalryell, Binns, to Pitt, 31 December 1785; Moss and Hume, op.cit., p. 49.
171. See, e.g.: Pitt papers, PRO 30/8/318, ff. 201-5, John Stein and John Haig to [?P.H.], 24 March 1795; ibid., ff. 173-80, John Stein to George Rose, 18 November 1796.
172. See, e.g: Pitt papers, PRO 30/8/318, ff. 87-8, Simon Fraser MP to Dundas, 30 May 1797; ibid., ff. 31-2, minutes of Nairn county meeting, 2 March 1798; ibid., PRO 30/8/319, ff. 189-90, proceedings of meeting of Perthshire farmers, 2 February 1798.
173. SRO, Home of Wedderburn, GD267/1/10/26-7, George Home to Patrick Home, MP, 15 March 1785.
174. Pitt papers, PRO 30/8/318, ff. 222-3, James Stodart to [Dundas], 30 November 1796.

175. Pitt papers, PRO 30/8/318, ff. 135-9, William McDowall MP to Pitt, 7 December 1796, 11 June 1797. For the highland response to the accusations, see ibid., PRO 30/8/318, ff. 89-90, resolutions of a committee of the county of Inverness, 20 May 1797; ibid., PRO 30/8/319, ff. 183-4, Sir Archibald Grant, Monymusk to Pitt, 21 February 1798; SRO, Melville, GD51/5/217/1-2, William Paterson, distiller at Callander to Dundas, 14 April 1795, with resolutions of Highland Line Distillers, 8 April 1795.
176. Pitt papers, PRO 30/8/131, ff. 64-7, Robert Dundas, Lord Advocate to Henry Dundas, 26 November 1796; ibid., PRO 30/8/319, ff. 307-10, Stodart to [], 22 November 1796. See also ibid., PRO 30/8/318, ff. 226-9, same to [Dundas], 28 November 1799. In theory, highland grain was inferior to lowland, and this was one of the grounds for the highland exemption. In practice, some highland grain was perfectly the equal of lowland crops.
177. Pitt papers, PRO 30/8/318, ff. 232-3, Robert Struthers to [], 21 December 1796.
178. Pitt papers, PRO 30/8/318, ff. 195-8, John Stein to Pitt, 12 June 1797.
179. Moss and Hume, op.cit., pp. 57-8.
180. Pitt papers, PRO 30/8/318, ff. 181-6, John Stein to [?Pitt], 9 December 1796; EUL, Laing Mss, Div. II, 500, McDowall to Robert Dundas, Lord Advocate, 18 December 1797.
181. Pitt papers, PRO 30/8/318, ff. 122-5, George Skene Keith to James Ferguson MP, 9 May 1797.
182. SRO, Treasury Outletter books, RH2/4/487, pp. 354-5, letters of George Rose to the Commissioners of Excise and the Lord Advocate, 22 December 1795 (copies).
183. Pitt papers, PRO 30/8/318, ff. 222-3, James Stodart to [Dundas], 30 November 1796; SRO, Melville GD51/5/227, George Graham MP to George Rose, 9 February 1796; ibid., GD51/1/197/12, Earl of Haddington to Dundas, 8 March 1796.
184. Devine, op.cit., p. 155.
185. Devine, op.cit., p. 171; Moss and Hume, op.cit., p. 53.
186. Devine, op.cit., p. 164; Pitt papers, PRO 30/8/318, ff. 173-80, John Stein to George Rose, 18 November 1796.
187. See, e.g: EUL, Laing Mss, Div. II, 500, Alexander Geddes, Riding Officer, Elgin, to William Corbet, General Supervisor of Excise, 23 April 1797 (copy).
188. SRO, Melville, GD51/5/239, Stodart to [Dundas], 8 July 1797. For the state of illicit distilling in the highlands in 1803, see DCRO, Sidmouth papers, 152 M, C 1803, W. Corbet to Henry Addington, 11 March 1803.

189. Pitt papers, PRO 30/8/318, ff. 118-9, William Hyslop, Dumfries, to [?Pitt], 1 July 1797; ibid., ff. 173-80, John Stein to George Rose, 18 November 1796; ibid., PRO 30/8/319, ff. 82-3, James Hervey, Paisley to [?Pitt], 7 November 1794.
190. Pitt papers, PRO 30/8/131, ff. 64-7, Robert Dundas, Lord Advocate to Henry Dundas, 26 November 1796; ibid., PRO 30/8/318, ff. 226-9, James Stodart to [Dundas], 28 November 1799.
191. There is a lengthy account of one particular deception practised by the lowland distillers in Pitt papers, PRO 30/8/318, ff. 129-130, John Leven, General Supervisor to Pitt, 4 December 1797.
192. Moss and Hume, op.cit., p. 58.
193. See, e.g.: Pitt papers, PRO 30/8/318, ff. 135-6, William McDowall to Pitt, 7 December 1796; ibid., PRO 30/8/319, ff. 82-3, James Hervey to [?Pitt], 7 November 1794.
194. Pitt papers, PRO 30/8/318, ff. 173-80, John Stein to George Rose, 18 November 1796.
195. This section is underpinned by Whetstone, op.cit., pp. 61-94 and Ward, op.cit.
196. Sunter, op.cit., pp. 77-86 discusses the political significance of elections of land tax collectors.
197. Whetstone, op.cit., pp. 77-9.
198. Ward, op.cit., p. 296.
199. Finance Reports, 1797-8, p. 225; SRO, Home of Wedderburn, GD 267/1/4/21, Memorial of Major David Gardyne yr. of Middleton, Collector of Land Tax to commissioners of supply for Angus, n.d. [ante 3 October 1786]; Pitt papers, PRO 30/8/317, ff. 178-9, "A state of the hardships imposed on the collectors of the land tax in North Britain ..." [?1787].
200. SRO, Melville, GD51/1/198/1/10, James Durno to Dundas, 10 June 1800.
201. SRO, Home of Wedderburn, GD267/1/8/9, George Home to Patrick Home, 15 September 1802; SRO, Exchequer Reports, E307/12, pp. 230-9, Henry Mackenzie, Comptroller of Taxes to Barons of Exchequer, 27 March 1805.
202. SRO, Melville, GD51/6/1209, Earl of Eglinton to Dundas, 14 July 1797.
203. Ward, op.cit., p. 294.
204. For the history of each tax, see Binney, op.cit., pp. 67-72.

205. NLS, Melville, Ms 640, ff. 43-4, State of Window Duties &c, 27 December 1790; BL, Huskisson, Add Mss 38759, f. 236, Printed Parliamentary Paper giving account of net assessments for Scottish assessed taxes, 1801-8. 20 February 1810.
206. Ward, *op.cit.*, pp. 298-9. There are numerous reports by the barons to the Treasury about the operation of the Tax Office in SRO, Exchequer Reports, E307.
207. SRO, Treasury Outletter books, RH2/4/482, p. 457, Thomas Steele to Barons of Exchequer, 21 December 1785; SRO, Melville, GD51/5/364/16/19, Robert S. Dundas to Sir Alexander M. Lockhart, 5 November 1809 (copy).
208. SRO, Treasury Outletter books, RH2/4/485, p. 454, Thomas Steele to Messrs Welwood, Bartholomew and Tovey, 22 December 1790 (copy); SRO, Melville, GD51/5/364/3/3, Sir William Murray to Robert Hepburn, 18 May 1791.
209. NLS, Melville, Ms 640, ff. 19-20, "Scheme for the assessment of the duties on houses, windows ... in North Britain", [February 1787].
210. SRO, Exchequer Reports, E307/12, pp. 380-1, List of the present surveyors of taxes in Scotland with their districts, 23 December 1805.
211. SRO, Treasury Outletter books, RH2/4/485, pp. 449-50, Thomas Steele to Barons of Exchequer, 26 August 1790.
212. NLS, Melville Ms 640, ff. 23-4, Barons of Exchequer to the Treasury, [] February 1787 (copy).
213. See, e.g., EUL, Laing Mss, Div. II, 500, Baron Norton to Robert Dundas, Lord Advocate, 12 June 1793; Harvard University Library, bMS Eng 1327, no. 11, Baron Dalrymple to Dundas, 10 April 1797.
214. EUL, Laing Mss, Add 7/28, Baron Cockburn to Robert Dundas, Lord Advocate, 19 March 1799; SRO, Melville GD51/5/364/10/16, Sir John Anstruther to Dundas, 9 April 1798.
215. For a good example of a reference to Dundas over a disputed surveyorship, see SRO, Melville, GD51/5/364/6/20, [William Chinnery, Treasury Clerk], to [?Dundas's secretary], 11 March 1794.
216. SRO, Exchequer Reports, E307/12, pp. 132-9, Henry Mackenzie to Barons of Exchequer, 2 June 1804 (copy report, as Comptroller of Taxes); *ibid.*, pp. 173-9, copy petition of Scottish tax surveyors to the Treasury [?25 May 1802]; Finance Reports, 1797-8, p. 235.
217. SRO, Home of Wedderburn, GD267/1/10/62-3, George Home to Patrick Home MP, 14 May 1785.

218. Pitt papers, PRO 30/8/268, ff. 196-201, Anthony Macmillan to Pitt, 10 November 1797, with enclosure.
219. The taxes assessed for the year ended 5 January 1797 totalled £88,458. Finance Reports, 1797-8, p. 230.
220. Finance Reports, 1797-8, p. 225. For the Scots defence, see EUL, Laing Mss, Div. II, 500, Thomas Campbell, assistant surveyor general to Robert Dundas, Lord Advocate, 11 November 1797.
221. Ward, op.cit., p. 307; Finance Reports, 1798, p. 77.
222. NLS, Melville, Ms 640, ff. 88-92, Thomas Horsburgh to Robert Dundas, Lord Advocate, 4 September 1798, with enclosure; SRO, Melville, GD51/1/433, George Dempster to Dundas, 20 October 1802.
223. O'Brien, op.cit., pp. 403-6; for the rates, most gentlemen would again turn to the Edinburgh Almanac.
224. HMC, Laing, Vol. II. pp. 670-3, letters of Baron Cockburn to Robert Dundas, Lord Advocate, 13-29 March 1799.
225. HMC Laing, Vol. II, pp. 670-1, Baron Cockburn to Robert Dundas, Lord Advocate, 22 March 1799.
226. Pitt papers, PRO 30/8/279, part 2, ff. 280-307, report of the Commissioners of Taxes to the Treasury, 25 April 1800, concerning the operation of the income tax (the Scottish material, from Mackenzie, is on ff. 301-4); BL, Vansittart, Add Mss 31229, ff. 21-4, Henry Mackenzie to Nicholas Vansittart, 8 October 1801.
227. O'Brien, op.cit., pp. 416-23; BL, Huskisson, Add Mss 38759, f. 235, printed parliamentary paper giving account of the net assessments for the property tax in Scotland, 1804-8. 20 February 1810.
228. SRO, Exchequer Reports, E307/12, pp. 360-3, Henry Mackenzie to M. Winter, 3 May 1805 (copy), details other problems in levying the property tax.
229. SRO, GD51/5/364/15/18, Henry Mackenzie to [?Melville], 2 March 1808; SRO, Home of Wedderburn, GD267/1/8/43, George Home to Patrick Home, 29 December 1807.
230. SRO, Melville, GD51/1/433, George Dempster to Dundas, 20 October 1802; SRO, Home of Wedderburn, GD267/1/8/9, George Home to Patrick Home, 15 September 1802; SRO, Exchequer Reports, E307/12, p. 44, Nicholas Vansittart to Barons of Exchequer, 3 December 1802.
231. The Act was 43 Geo III, cap 150; SRO, Exchequer Reports, E307/12, pp. 132-9, report by Mackenzie to the Barons of Exchequer, 2 June 1804.
232. SRO, Exchequer Reports, E307/12, pp. 230-9, report by Mackenzie to the Barons of Exchequer, 27 March 1805; ibid., pp. 224-9, Henry Mackenzie's Remembrancer to M. Winter, 29 March 1805 (copy).

233. SRO, Exchequer Reports, E307/12, pp. 193-7, Barons of Exchequer to Treasury, 5 December 1804 (copy).
234. Finance Reports, 1797-8, pp. 185, 211.
235. SRO, Buccleuch, GD224/580/1/1/34, Earl of Dalkeith to Joseph Gillon, 7 July 1807; DCRO, Sidmouth, 152M, C 1802, OZ 81, Lord C. Spenser to Henry Addington, 5 January 1802. The quotation is from the second document.
236. A.R.B. Haldane, Three Centuries of Scottish Posts. An Historical Survey to 1836, (Edinburgh, 1971), p. 307. For Elder's appointment, see SRO, Melville, GD51/6/1092, Lord Chesterfield to [Dundas], 23 June 1795.
237. For the establishment, see Finance Reports, 1797-8, pp. 194, 209.
238. For the local staff, see Haldane, op.cit., chapter 7, passim. For their appointments, DCRO, Sidmouth papers, 152 M, C 1802, OZ 81, Lord C. Spenser to Henry Addington, 5 January 1802; SRO, Melville, GD51/6/1247, Thomas Elder, Deputy Post Master General to William Budge, 30 April 1798.
239. NLS, Melville, Ms 1056, ff. 197-8, William Honyman, Lord Armadale to Dundas, 23 October 1799.
240. Finance Reports, 1797-8, p. 181.
241. Haldane, op.cit., chapter 10, discusses abuses and evasions in detail.
242. Pitt papers, PRO 30/8/231, f. 28, "Business Done in the Treasury" [1783]. See also A.J. Durie, The Scottish Linen Industry in the Eighteenth Century, (Edinburgh, 1979). Trustees were appointed by the Home Secretary.
243. Durie, op.cit., p. 29.
244. For a typical three year plan and its approval, see SRO, Treasury Outletter books, RH2/4/486, pp. 73-6, Treasury Signature and Warrant to Trustees, 25 August 1792.
245. SRO, Melville, GD51/6/928, Lord Balgonie to [Dundas], 20 April 1792.
246. Murdoch, People Above, p. 21. For a rare reference to stampmasters' appointments, see EUL, Laing Mss Div. II, 500, Thomas Brown, Johnstonburn to Robert Dundas, Lord Advocate, 20 January 1798.
247. SRO, Melville, GD51/6/1041, Robert Arbuthnot to Dundas, 21 February 1795.

248. SRO, Melville, GD51/6/175, Balgonie to Dundas, 28 February 1795; NLS, Melville, Ms 1057, ff. 87-8, Robert Arbuthnot to [Dundas], 19 January 1796.
249. NLS, Melville, Ms 7, ff. 96-7, Robert Dundas, Lord Advocate to Henry Dundas, 19 January 1796; EUL, Laing Mss, Div. II, 500, Portland to Robert Dundas, Lord Advocate, 11 September 1796.
250. NLS, Melville, Ms 640, ff. 211-12, Robert Dundas, Chief Baron, to Robert S. Dundas, 30 June 1808.
251. SRA, Campbell of Succoth, TD219/6/91, Dundas to Ilay Campbell, Lord Advocate, 9 March 1784.
252. NLS, Melville, Ms 7, ff. 96-7, Robert Dundas, Lord Advocate to Henry Dundas, 19 January 1796; SRO, Melville, GD51/6/1380, Patrick Murray to Dundas, 10 October 1799.
253. Durie, op.cit., pp. 163-5.
254. NLS, Melville, Ms 653, ff. 1-4, George Dempster, MP to Dundas, 31 January 1788; ibid., ff. 5-11, Memorial submitted to Dundas by a Forfarshire committee, 26 January 1788.
255. SRO, Steel Maitland, GD193/1/1, Ramsay's diary, note dated 13 April 1790.
256. BL, Huskisson, Add Mss 38759, ff. 143-4, 'Memorandum of arrangements settled with M^r Pitt July 1805'.

CHAPTER FIVE

THE HOME OFFICE; CHURCH AND LAW

Formed in 1782 out of the old Southern Department, the Home Office was the second department concerned with the day-to-day running of Scotland.¹ Its concerns were threefold: public order and the administration of the law; church and religious affairs and, after 1794, the lieutenancies and internal defence. As part of this work, the office had in its gift a considerable number of appointments in the established Church of Scotland, in the Scottish universities and in the courts and legal administration, together with a few small sinecures.

Based in four rooms, the department was both small and surprisingly efficient by eighteenth-century standards. Like other offices, staff would occasionally mislay documents or overlook matters. This was particularly true at times of domestic unrest when business very much increased in the office² and it could pay a supplicant to have a London agent to keep an eye on his particular affairs.³ Nonetheless, the Home Office was never to have the reputation for sloppiness accorded the Treasury.⁴ In the main this was due to the small staff. The Home Secretary would expect to see most incoming correspondence and making his decisions on it, would pass it to one of the two undersecretaries to prepare replies. Clerks beneath them would make the final copies.⁵ Of the two undersecretaries, one was de facto permanent, the other political. Two men filled the permanent post in these years, Evan Nepean, 1782-94, and John King, 1794-1806.⁶ Both feature prominently in the

paperwork of Scottish affairs. While most politicians would deal directly with the Home Secretary, such was the frequency of correspondence from the Dundases that they would often settle matters with an undersecretary.⁷

Much of the office's work was routine and staff would regularly resort to their records to identify precedents. In church presentations they were not above consulting the Scots Almanac if they were unsure who had the right of patronage!⁸ There was also a well established system of memoranda books, by which parties could register an advance interest in forthcoming appointments.⁹ Not all the clerks were efficient, and Dundas had four removed soon after the war began.¹⁰ Nor was inefficiency all that Scotland had to fear from the Home Office. In May 1788, the King's letter to the General Assembly, prepared at the Home Office, contained some double entendres, causing "a good deal of noise" in Edinburgh:

"This may be a very good joke to Lord Sydney or his Clerks, nor is there any harm in these apes of the Great vulgar [sic], making what jokes they please at their social meetings, but if the ministry have a proper sense of decency and propriety they will not permitt [sic] the same person to make any more jokes under their auspices".¹¹

The Home Secretary had several official links with Scotland. With the established church, the direct links were through the annually elected Moderator to the General Assembly and through the King's Commissioner to that body. This last was an annually renewable appointment and was held successively by the Earl of Leven and Melville from 1783 until his death in 1802, and

thereafter by Lord Napier.¹² The Commissioner would receive his commission, instructions and the King's letter to the assembly and he would later return the Assembly's reply and any other addresses, giving a report of the proceedings which would be passed to the throne.¹³ The Moderator would also occasionally correspond with the Home Office.¹⁴ As we will see, much more church business was done less formally, through Scottish clerics and politicians.

In criminal matters, the main correspondents were the Lord Justice Clerk and the Lord Advocate. In 1804, Lord Eskgrove wrote that "down to this day [the Justice Clerk] has been treated as his Majesty[']s minister and adviser in all criminal matters arising in Scotland".¹⁵ This essentially related to the issue of respites and pardons but could also involve major criminal trials. Earlier, the Justice Clerk's connection with the Home Secretary had been wider. In 1784, Lord Sydney was consulting Lord Justice Clerk Miller about the rise in emigration from Scotland¹⁶ and Miller was later pleased to style himself "correspondent of government for this part of the country".¹⁷ This may well have been an endeavour by Sydney to bypass Dundas and it was not a duty that the Justice Clerk long continued. This was due primarily to the increasing influence accorded to the Lord Advocate.

The Lord Advocate would normally be concerned with some of the Scottish criminal matters that came before the Home Office and on at least one occasion this involved privately criticising the savagery of Justice Clerk Braxfield's sentencing of some militia rioters.¹⁸ It also fell to the Advocate to defend the

Crown's interest at law, for instance in cases where the right to a church presentation was disputed.¹⁹ Increasingly, the office became one of the main channels of executive government in Scotland. It had always had a political role, with the Advocate as an MP often taking the lead in Scottish legislation. The period of Robert Dundas's tenure, 1789-1801, saw the office being given considerable, if temporary, influence over the Home Office's main Scottish concerns. This was partly attributable to his crucial position at the centre of the Scottish legal administration during the years of unrest but it was principally due to the position of his uncle both as Scottish manager and, for a time, Home Secretary. To Portland, Robert Dundas acted as a major channel of information, whether advising (inaccurately) that Edinburgh would welcome a militia,²⁰ giving details of the Irish passing into Scotland²¹ or sending reports of public disturbances.²² It was the Advocate at Portland's request who used his influence with the colonels of the Scots fencible regiments to try to persuade their men to cross to Ireland.²³ He was also a prime source of intelligence about radical activities, forming the main link between the centre and the Scottish localities, co-ordinating the observation of radicals by the local authorities.²⁴ In this role, he could assume executive powers as in 1797, when he ordered local officials in the West to repatriate many Irishmen crossing to Scotland. It was not, he admitted, strictly legal, "But we must not stop at trifles".²⁵ The dual role of Robert Dundas as both his uncle's sub-minister for Scotland and the Crown's principal law officer, reached its zenith during the militia riots. With the Home Secretary so far distant as only to be able to give encouragement,

it was on the Advocate that the main responsibility fell for coordinating the activities of the local lords lieutenant, the sheriffs and the military. Robert Dundas's successors in office had less political influence but the importance of the post as an instrument of government continued and there was leeway for them to make what use of the post they could. It was left to Charles Hope to describe it in 1806:

"The Advocate is considered as representing Government in Scotland, to whom all men, all magistrates and all public boards have recourse in every emergency".²⁶

The Advocate's main links to the regions were through the sheriffs. They were indeed

"the real efficient instruments both for collecting information, and for executing any orders that at any time may be necessary within their respective jurisdictions".²⁷

We will discuss the sheriffs below, but in general they seem only infrequently to have written directly to the Home Office, although there were exceptions.²⁸ Not until 1794, with the creation of the lieutenancies, did the Home Office had a regular and direct link to the localities.

The County lieutenant's main business was overseeing the volunteers and, later, the militia. This generated a considerable amount of work for the Home Office. He had power to appoint deputies to assist him and this gave some facility to gather information. Buccleuch, among others, employed them to make a survey of the loyalty to the constitution of the inhabitants in his county.²⁹ It was to the lieutenants that Portland turned when he wanted information about the grain shortages of 1795-6³⁰ and they were in the habit of informing

him of local occurrences, whether of French privateers cruising off the Uists³¹ or of grain riots in the Carse of Gowrie.³² Again, at the time of the militia riots, he would receive a flood of information from them, but here, as we have seen, most had to turn to the Lord Advocate. Certainly this was informal, reflecting the Advocate's semi-ministerial role, rather than an official relationship.³³ The militia crisis indeed demonstrated some of the failings of the lieutenancy system. Absenteeism among the lieutenants who, like Roxburgh, began "to sigh most vehemently" for the pleasures of London, was high.³⁴ Many had to scurry North at the onset of the disturbances. In 1803, the office of Vice Lieutenant was introduced, nominated by the lieutenant and guaranteeing a resident to guide the deputies.³⁵ The government did try to emphasise residence as a qualification for a lieutenant's appointment but was never fully successful.³⁶ It could also be difficult to remove incompetent lieutenants, as was found in 1803, when the Fife Lieutenant, Lord Crawford, became incapable of acting from bodily and mental infirmity.³⁷ Nor was a resident lieutenant a guarantee of efficiency. In November 1800, an embarrassed Earl of Eglinton told the Advocate that a series of Ayrshire riots had taken place some two weeks before ever his deputies had informed him.³⁸

The Home Secretary was also the principal channel for conveying loyal addresses to the King and there are numerous indications of these scattered through the Home Office entry books.³⁹

Given the amount of Scottish business under the oversight of the Home Office, the attitude of the Secretary of the day was crucial to the operations of any would-be Scottish manager. Dundas, as Pitt's intimate was inevitably in a good position but a Home Secretary, by being his own man, could potentially still give him much trouble.

Viscount Sydney, Home Secretary 1783-9, was not particularly outstanding in the post. These were quiet years and he apparently felt no need to exert himself. Nor was he high in Pitt's councils, despite the status of his office.⁴⁰ The limited evidence available suggests that his relationship with Dundas was not close. He was nominally a member of the Board of Control but like others he was effectively bypassed by Dundas who took the lead in Indian affairs. He told Pitt in September 1784, that he was ready to leave the Board "to the ambition of those who like the department" but he wanted the rest of his own office "unincroached[sic] upon by others".⁴¹ If this was an attempt to protect himself from Dundas's demands, it was not a policy in which he was consistent. Dundas seems to have had little difficulty in getting his way at the Home Office and this was probably a reflection of Sydney's lassitude. Dundas's relations with Grenville, Secretary 1789-91, were friendly, with none of the mutual jealousy that soured their acquaintance in later years. Grenville's papers suggest that Dundas's advice was both regular and welcome.⁴² Dundas's own period in the Home Office allowed him, as we will see, to develop and consolidate certain policies which he had hitherto been pressing

from his position as Scottish manager. We have already seen that his successor Portland did not greatly interfere in Dundas's Scottish business and it was of some importance that he was not only conscientious in his work but was also disposed to continue the broad policy lines nurtured by Dundas. Portland's successors, particularly Pelham, Secretary 1801-3, were less well disposed to Dundas but even they departed little from the established practices of the Home Office in Scottish affairs.

It is to the Home Office's concerns with legal appointments and the administration of the law, and with church appointments and politics that we must now turn. An examination of both tells a great deal about Dundas's management of Scotland and his policies.

With a civil and a criminal jurisdiction the justices of the peace were the least important of the local public courts.⁴³ With a court in every county, the JPs were mainly landowners, named in commissions issued by the Lord Chancellor. These were re-issued irregularly when updating was necessary and while the nomination of individuals had usually fallen to the county MP, it was generally the case that by the early nineteenth century the selection was made by the lord lieutenant, the sheriff and the MP acting together.⁴⁴ Very occasionally the choice could take on a political aspect, as in 1804, when the Earl of Fife complained that four friends of his who had opposed the sitting MP for Aberdeenshire in 1802, had been omitted from a subsequent commission, "a mark of degradation to public and private character".⁴⁵ This was fairly rare, however. The JP Clerkship,

which was appointed by the Home Secretary, usually at the recommendation of the local MP if friendly to government, was much more political.⁴⁶ Typical of this was the Clerkship for Lanarkshire, procured by Sir Charles Ross in 1805 for Provost Vary of Lanark as part of Ross's burgh politicking.⁴⁷

The JP courts had no high prestige in Scotland. Their criminal jurisdiction, relating mainly to breach of the peace, had been largely superseded by the Sheriff Courts.⁴⁸ In 1797, the JPs proved near useless during the militia riots. Their civil jurisdiction was more important, much of it concerning wage disputes between masters and servants, maintenance payments for illegitimate children and small debts.⁴⁹ This last undoubtedly provided quick and cheap law and between 1784 and 1790, the Midlothian JPs alone dealt with 25,000 small debt claims.⁵⁰ In 1795, a small debt act broadened their jurisdiction with apparently good effects, although the workload on the active JPs rose steeply.⁵¹ The Justices also held excise courts for enforcing revenue laws but we have already seen that in some areas they had a vested interest in being remiss about such work.⁵² Despite many being named in the commissions, in many counties meetings were irregular and ill attended. In 1796, in Berwickshire only four or five Justices were active.⁵³ The story was similar in Midlothian and in the Highlands the problem was acute.⁵⁴

Each Royal Burgh had its own court with a jurisdiction covering minor crime, petty disputes and trading practices.⁵⁵ Like the JPs, these courts were overshadowed by other jurisdictions. That they were presided over by the bailies,

local politicians all, was no help to their reputation and at least one observer, calling in 1808 for their abolition, described them as "a most contaminated source of justice".⁵⁶

In 1784, there were twenty two Commissary Courts.⁵⁷ Twenty one were local and had a Commissary, a Depute and a Clerk. The weight of their business concerned the confirmation of testaments but they had powers in actions by widows and also maintained a register of deeds and a small debt jurisdiction. The Edinburgh office was presided over by four Commissaries and as well as being competent for registration of testaments from anywhere in Scotland, dealt with matters concerning legitimacy and divorce.⁵⁸ All the appointments were in the Crown through the Home Office and so were political. A list of advocates in 1806 shows that three of the then Edinburgh Commissaries, Andrew Balfour, John Anstruther and Archibald Campbell were Dundas supporters, while the fourth, James Gordon obtained his appointment by means of his electoral influence in Kirkcudbrightshire.⁵⁹ The same was true of the local commissaries. The appointment of Robert Stark to St. Andrews in 1795, was the first signal that government was cultivating an interest in the Cupar burghs.⁶⁰ Usually the local MP could expect to nominate to vacant commissaries and when Lord President Campbell wanted the Glasgow post for his son-in-law, he approached the MP, McDowall of Garthland. Described "as next to a sinecure", it had fees of £140 - 150 annually (no commissaries had salaries) of which one third paid a deputy. In the end there was confusion, with McDowall and Argyll pressing different candidates, and Dundas intervening to recommend a third man.⁶¹ Commissary clerkships were similarly Crown appointments

and so pursued by the politicians.⁶²

Overall, the commissary courts were in decline. In 1788, the Dunkeld Commissary remarked, "Almost every other commissary exercises his jurisdiction so near to the established civil courts of sheriffs or burghal [sic] magistrates that his office is totally unnecessary, except in consistorial cases".⁶³

This continued with the loss of business caused by the extension of the small debt jurisdiction afforded to the JPs and Sheriffs in 1795.⁶⁴ Abolition of the commissaries was seriously considered between 1801 and 1803 but did not in fact commence until 1823.⁶⁵

The twenty eight Sheriffs and Stewards Depute were the most important of the local Crown law officers.⁶⁶ They had a wide civil and criminal jurisdiction and their business was increasing with the growth of towns and population. They were also, as we have seen, absorbing work from lesser courts. As royal officials they had some small revenues to collect and they had also to take precognitions in local criminal cases liable to go before the Justiciary Court.⁶⁷ There was some work connected with enforcing revenue laws and with particular statutes, including overseeing the operations of the Entail Act of 1770 and the various corn law acts.⁶⁸ The Sheriff also received the writ for parliamentary elections. This was no little power and on at least one occasion a Whig Sheriff caused problems for Dundas's election management by bringing on an election sooner than was desirable for government supporters.⁶⁹

A Sheriff had to be an advocate of at least three years'

standing and his pay was not extravagant, prompting complaints in 1786 when the salaries, unchanged since 1748, ranged between £150 and £250.⁷⁰ They would receive increases through the period, but government policy was not to make the office lucrative. It was seen only as a potential stopover for the holder - "a nursery for the bench", Charles Hope called it - who should not regard it as a permanent object.⁷¹

Sheriffs were generally appointed at the recommendation of the principal landowners in a county and there are numerous examples, as in the prominence accorded Queensberry in the appointment of the Peebles Sheriff in 1789⁷² and to Buccleuch in the Selkirk appointment of 1799.⁷³ Lord Fife commonly chose the Banffshire Sheriff.⁷⁴ In Fife, without one dominant landowner, the sheriff chosen in 1803 had the unanimous recommendation of the county gentlemen.⁷⁵ The offices commonly fell to local men⁷⁶ but, as President Campbell wrote, "Ministers will never allow that office to depend on local interest alone",⁷⁷ and Dundas and his associates tried to introduce and maintain certain standards. Applications for appointments were sometimes made blatantly on the grounds of electoral influence and Dundas strove to resist this.⁷⁸ He would himself have preferred to avoid appointing local men entirely, because of the dangers of local political entanglements interfering with the integrity of the law, but, with a few exceptions, this proved impracticable. Since it was never possible to enforce the statutory four months residence required of a sheriff, only the appointment of a local man would guarantee some form of attendance to his duties.⁷⁹ Paradoxically, one of Dundas's innovations, the attempt to insist that candidates for sheriffships should be

practising advocates and should continue to practise after appointment, actually worsened the non-residence problem. While Portland and others would sometimes claim that this requirement was at the King's insistence,⁸⁰ it is clear that the notion actually started with Dundas during his years as a lawyer.⁸¹ He was not entirely consistent in practising it. Moir of Scotstoun, appointed Sheriff of Aberdeen in 1795, at the recommendation of Gordon and others, was certainly not in practice. There were others.⁸² Yet some clearly were debarred on this ground and this indicates at least some sincerity in Dundas's aims.⁸³ The clearest example of this was John Orr, Town Clerk and latterly Commissary of Glasgow. For twelve years from 1785, he pursued the Sheriffship of Lanarkshire with the support of the county, the MP Sir James Stuart Denham, and the Duke of Hamilton. Time after time, Dundas and others refused all solicitation, because Orr was not a practising advocate.⁸⁴

Despite his good intentions Dundas had only qualified success in his endeavours to improve the sheriff courts. Certainly, most of the failings of the old hereditary sheriffships were now long gone⁸⁵ but of the generality of the sheriffs in 1792, George Home wrote

"the Advocate has now become sensible how necessary it is that sheriffs should be men of at least decent abilities, both he and the publick suffer at present from some of them not being so".⁸⁶

Dundas was merely beginning improvements and the weight of the system was against him. In 1788, for instance, Queensberry could still insist on the appointment of an unsuitable candidate, Edward

Armstrong, to be Sheriff of Dumfries in place of his father, despite public unease and knowledge of his debts. In 1791, after three years of misconduct, he was caught cheating at cards and ultimately removed.⁸⁷ The Aberdeen Sheriff, Elphinstone of Glack, was bankrupt in 1785 and surrounded by so many irritated creditors that he found it almost impossible to do his duty. For some time he unsuccessfully tried to transfer to another county.⁸⁸

Non-residence by sheriffs depute was frequently complained of by locals⁸⁹ and despite the recommendations of the Lord Advocate in 1810, it did not prove possible to enforce the statutory residence requirement.⁹⁰ The effect of this was to throw much of the sheriff court business into the hands of one or more substitutes appointed by the depute.⁹¹ This was a considerable grievance, as "a Scotchman" explained to Lord Grenville:

"The whole duties of... [the Deputes]... are devolved on substitutes, who are generally low, ill employed attornies, whose sole aim is to recommend themselves to the patronage of the great by serving their interest per fas et nefas[.] We may indeed appeal from their unjust sentences to our sheriffs themselves, but alas these gentlemen who mostly reside at Edinburgh, have their hands full of private business as lawyers, and that they may not be always troubled with such appeals, they confirm 19 out of 20 of such sentences; ...".⁹²

This seems to have been fair comment and complaints of delay and expense in sheriff court proceedings were also made.⁹³ The substitutes were certainly underpaid but again this was government policy, to ensure that they did the work themselves rather than use the proceeds of a larger salary to hire another to do it.⁹⁴

The remaining officials of importance in the sheriff court were the clerks, who kept the records. These were appointed by Dundas as Keeper of the Signet. In practice he sold the offices while ensuring that those appointed were suitably qualified. The income was quite considerable and three appointments in 1807 alone earned him £2874.⁹⁵

The Court of Session, headed by the Lord President and fourteen Ordinary Lords sat in Edinburgh as the supreme civil court. It had both a primary jurisdiction and appeal jurisdiction over the Sheriff and other inferior courts. Six of its Judges, one of them the Lord Justice Clerk, held 'double gowns' and constituted the Justiciary Court, the supreme criminal jurisdiction.

A considerable part of the Court of Session's work involved reviewing the decisions of lesser courts, and pleading before it was the monopoly privilege of the members of the Faculty of Advocates. Most business originated in the 'Outer House' where one of the Ordinary Lords would sit by weekly rotation pronouncing on the causes brought to him. A cause could be appealed from him to the 'Inner House' where a quorum of nine (and anything up to fourteen) Judges would collectively consider the matter. Much of this litigation had to be conducted in writing and could become voluminous. In all, it was a time consuming system with "a good deal of unnecessary discussion", particularly when all the Inner House Lords felt obliged to have their say. The considerable growth of commerce in Scotland in the period inevitably generated much more business and in 1805 it was reported that "the arrears of business left undone is daily increasing".⁹⁶ The Judges also presided over

the Teind Court, deciding in cases involving claims by clergymen for augmentations to their stipends paid by local landowners. It was not onerous work.⁹⁷

The Justiciary Court was nominally headed by the Lord Justice General but by the late eighteenth century this was a sinecure appointment for a politician.⁹⁸ The work was left to the Justice Clerk and his five Judges, who tried all crimes - murder, rape, fire-raising and robbery - in which the Crown had sole jurisdiction. In Spring and Autumn each year, its six Judges went on three separate circuits to the North, South and West to try the various defendants held in the sheriffdoms. Trial was by jury selected by the Court and the Lord Advocate (whose department led Crown prosecutions) from lists of heritors provided by the local sheriffs.⁹⁹

Neither Court was much respected at this period. The odium that attached to their personnel was shared. The Justiciary Court, with its powers of death and transportation, without appeal to any higher court, was naturally feared by the common folk.¹⁰⁰ Conversely, its brutal assaults on the Scots radicals confirmed it as a bulwark of the propertied classes. Justice Clerk Hope, putting his case for more pay in 1810, wrote:

"The times are but just past, & seem to me to be fast approaching again, when the salvation of the country may depend on the character and firmness of the judge who is at the head of the Court of Justiciary".¹⁰¹

Discontent with the functioning of the Court of Session was widespread. The system was slow and subject to long delays. Increasingly its judgements were being taken to the House of Lords, because litigants knew "that an appeal at present acts as

a suspension for 3 or 4 years".¹⁰² Between 1794 and 1807, the House of Lords had 501 appeals from British Courts, 419 of them from Scotland.¹⁰³

Connected with the delays was a discontent with the quality of justice. The Judges frequently made their own way with the law, like George Fergusson, Lord Hermand who "sometimes made little ceremony in disdaining the authority of an Act of Parliament, when he and it happened to differ".¹⁰⁴ The involvement of the Judges in election cases had long been a public grievance.¹⁰⁵ They themselves were often involved in local politics, Gardenstone taking an active part in Northern elections and both Lord Eskgrove and Ilay Campbell, Lord President held superiority votes in the counties.¹⁰⁶ Consequently when their decisions upon the validity of freeholders' qualifications could sometimes decide elections,¹⁰⁷ it is little wonder that their neutrality was questioned. A decision that went against Sir Thomas Dundas in a case arising out of the Stirlingshire election of 1790 was thought by some to betray bias on the bench.¹⁰⁸ In fact, there seems no direct evidence that the Dundases interfered with election case decisions, but of the Scots Judges as a whole, Grenville was informed:

"it is truly indecorous, to use no stronger expression, that they shall go and take a decided lead in an election, on the merits of which they are again as judges impartially and without prejudice to determine upon...".¹⁰⁹

More important was a general dissatisfaction with the standing of the Court and its personnel. Colonel Fullarton reported in 1801,

"The Scotch Bench at present, is certainly not respected, and in some particulars is not respectable. The President, The Justice Clerk and Lord Meadowbank have sons at the Bar and they are employed under the general impression of the solicitors and agents, that by engaging these young gentlemen as council, they conciliate the judges. The present Lord Armadale was brought forward, under the same impression as applied to his father in law the late Justice Clerk Macqueen. While such ideas are entertained and acted on, it is impossible to maintain the sentiment and character of national justice unimpaired. Especially as the decisions of the Court of Session, of late years have frequently excited the disapprobation of the House of Lords".¹¹⁰

There was undoubtedly a smell of nepotism about the court. Partly this was a reflection of the narrow social group from which the advocates were drawn but it is also clear that good men were not reaching the bench.¹¹¹ There were several reasons. There were no pensions for retiring judges, save by special arrangement and so at all times the bench had a number of men too old to be of use and so acting as a drag on business. David Ross, Lord Ankerville, had served thirty years before his death in 1805 and for the last two he had been incapable of duty.¹¹² The salary of an Ordinary Lord rose by progressions from £700 prior to 1786, to £2000 in 1810, with additional payments to the President, Justice Clerk and the Justiciary Lords.¹¹³ This did not approach the rewards of a good advocate in private practice and it was recognised that this made it difficult to attract the best men to the bench. Inevitably this necessitated the advancement of lesser candidates.¹¹⁴ The repeated refusal of Robert Blair, universally acknowledged the most talented lawyer at the bar, to take a gown until 1808, was a direct result of his wish to build an inheritance for his family.¹¹⁵ George Fergusson deferred

advancement for similar reasons and Adam Rolland and Alexander Wight refused on slightly more personal grounds.¹¹⁶

Political exclusion also served to keep talent from the bench. We have seen that the Faculty of Advocates was much influenced by opposition men prior to 1792. Their grip lessened thereafter but their presence was real enough. At first opposition sentiments were not a total bar to promotion and Wight was considered for the bench. Another case is John MacLaurin. Formerly a close friend of Dundas, they had parted company and he flirted with opposition. Nonetheless, they were reconciled and he reached the bench in 1788.¹¹⁷ Others, like Henry Erskine, were completely excluded and from 1792, things were much tighter. Early that year, Chancellor Thurlow and President Campbell discussed the notion that men who made a show of being in opposition and subversive of constitutional order should be kept from legal office.¹¹⁸ This quickly became the rule. Ilay Campbell was coy in alluding to the operation of this, writing of four opposition advocates:

"[They] have all of them considerable practice & are sufficiently qualified in point of legal knowledge. Whether there may be other circumstances attending their situation which fall to be enquired into before they are appointed to the bench, & how far any circumstances of a political nature ought to enter into the question, I cannot take it upon me to determine".¹¹⁹

This exclusion continued for years¹²⁰ and it gave a poor appearance, for it was generally conceived that excellent legal talents lay with opposition lawyers and so outside the judiciary.¹²¹ The net effect was described in 1806:

"For some years past, the patronage of the administration of justice in Scotland has been used, something like the wages of political intrigue...".¹²²

Certainly Dundas was prepared to admit that a large court might "afford a temptation not to be perfectly correct in the selection of the judges",¹²³ but how true was the accusation of political bias in appointments?

The Court of Session had a considerable administrative 'tail' of small offices, some of them sinecures and these were inevitably prey for politicians.¹²⁴ The six Principal Clerkships in particular were much sought after. Charles Gordon, appointed Clerk in 1788, was patronised by the Duke of Gordon¹²⁵ while John Pringle, appointed in 1793, received the post as a reward for combatting the radicals.¹²⁶ James Walker, appointed in 1803, was the Marquis of Titchfield's Scottish agent.¹²⁷ It was the promotions to the bench itself that most interested people, however.

Of the fifteen Lords sitting in 1784, all were familiar with Dundas and many were his friends. Three, James Veitch, Lord Elliock, John, Lord Swinton, and Lord Ankerville, were 'Independent Friends'.¹²⁸ Ankerville indeed would oppose Dundas to the end of his career.¹²⁹ A fourth, Robert Bruce, Lord Kennet was associated with the Whigs.¹³⁰ Francis Garden, Lord Gardenstone, had supported government but his conversion to the cause of burgh reform in his last years led conservative observers to doubt both his principles and his judgement.¹³¹ A study of the appointments of Judges made after 1784, shows fairly clearly what Dundas was trying to achieve and the constraints under which he was operating.

Most appointments were made as a result of discussions between Dundas, the Lord Chancellor and the Home Secretary, with advice

from the Scots law officers. The relative importance of each in the final decision varied.

Appointments of Lords of Session, 1784-1799

1784, July 1	Alexander Gordon, Lord Rockville <u>vice</u> David Dalrymple, Lord Westhall.
1786, March 9	Sir William Nairne, Lord Dunsinnan <u>vice</u> Robert Bruce, Lord Kennet.
1788, January 15	Sir Thomas Miller, Lord President <u>vice</u> Robert Dundas, Lord President.
1788, January 15	Robert MacQueen, Lord Justice Clerk <u>vice</u> Miller (promoted).
1788, January 17	John MacLaurin, Lord Dreghorn <u>vice</u> Miller (promoted).
1789, November 12	Ilay Campbell, Lord President <u>vice</u> Miller (deceased).
1792, June 7	Alexander, Lord Abercromby <u>vice</u> Alexander Gordon, Lord Rockville.
1792, December 4	William, Lord Craig <u>vice</u> Sir David Dalrymple, Lord Hailes.
1793, November 14	William Baillie, Lord Polkemmet <u>vice</u> James Veitch, Lord Elliock.
1793, November 15	David Smyth, Lord Methven <u>vice</u> Francis Garden, Lord Gardenstone.
1795, May 23	William Miller, Lord Glenlee <u>vice</u> Alexander Murray, Lord Henderland.
1796, March 11	Allan Maconochie, Lord Meadowbank <u>vice</u> Lord Abercromby.
1796, November 18	Robert, Lord Cullen <u>vice</u> James Erskine, Lord Alva.
1797, February 7	William Honyman, Lord Armadale <u>vice</u> Lord Dreghorn.
1799, May 16	William MacLeod Bannatyne, Lord Bannatyne <u>vice</u> John, Lord Swinton.
1799, June 1	David Rae, Lord Eskgrove, Lord Justice Clerk <u>vice</u> MacQueen, Lord Braxfield.
1799, June 21	Claude Boswell, Lord Balmuto <u>vice</u> James Burnet, Lord Monboddo.
1799, July 11	George Fergusson, Lord Hermand <u>vice</u> Lord Braxfield.

The appointment of Lord Rockville in 1784 seems to have been at Dundas's behest. He was an uncle to the Duke of Gordon and in 1787, the Duchess was berating Pitt for not promoting him to a vacant Justiciary gown. He was not an outstanding judge.¹³² Lord Kennet's death in 1785 created the vacancy that Dundas had hoped would be a start to the reduction of the number of seats in the court, in order to raise the salaries of the remainder. In this,

as we have seen, he was defeated and while the post was filled with 'bad grace' by Dundas,¹³³ it was given to William Nairne, and he and Dundas remained friends over the years.¹³⁴

The arrangements of January 1788 were more controversial and followed on the death of Dundas's half-brother, the Lord President. Dundas himself was offered the post and seriously considered it, but eventually declined.¹³⁵ It was the first of two steps that closed his legal career. Ilay Campbell, Lord Advocate was Dundas's preferred candidate, in part because it would enable him to advance his nephew Robert to the Advocateship. In fact Campbell, without consulting Dundas, decided to waive his claims in favour of the Justice Clerk, Miller and let this be known before Dundas could dissuade him.¹³⁶ Miller, who received the office, was in indifferent health and while the predominant features of his character were "simplicity and integrity", the bar as a whole was probably not impressed.¹³⁷ It was not Miller's promotion that disturbed contemporaries but that of his successor as Justice Clerk. Robert MacQueen, Lord Braxfield, a protégé of the Arniston family,¹³⁸ was not the choice of the bar, partly on grounds of snobbery. He was uncouth and gossip had it that he prized the office for the money he would make of it.¹³⁹ Dundas was warned about feeling among the advocates and while publicly pooh-poohing them, privately he tried to impress them on Campbell as a reason for taking the Presidency. Indeed, Dundas had great difficulty in preventing the Chancellor from making Braxfield President.¹⁴⁰ He would have made a good President - he was one of the greatest civil lawyers to sit on the bench - but as Justice Clerk his reputation for harshness and his conduct of the state

trials fully justified the misgivings of his contemporaries and overshadowed his real abilities.¹⁴¹ He did much to confirm his grasping reputation by advancing several members of his family in the legal profession, provoking Ilay Campbell's envy.¹⁴² His elevation allowed MacLaurin onto the bench.

Miller's death in 1789, again led to Dundas being offered the Presidency, which he refused for the last time.¹⁴³ By now, Campbell, who had stood loyally by Dundas in the Regency Crisis, was willing to take the post. The matter was quickly settled, with the two of them applying to Grenville and Thurlow.¹⁴⁴ Interestingly, Thurlow presented the claims both of Campbell and Braxfield to the King but the King's preference was for Campbell.¹⁴⁵ It seems to have been a popular appointment¹⁴⁶ and it opened the way for Robert Dundas to become Lord Advocate, with the Solicitor Generalship falling to Blair.

In 1792, Dundas was again considering reforming the Court of Session. Faced with filling the vacancy left by Rockville's death, he was now of the opinion that the bar could no longer supply fifteen Judges. After consulting the Chancellor he asked Campbell to consider alternatives "to render the court more usefull [sic] and more respectable". These included reducing the Judges to nine, or redeploying them to do more Outer House business. In this second option, it would become possible to grade appointments, keeping inferior candidates in the Outer House. Dundas also had hopes of pensioning off aged Lords.¹⁴⁷ It was a plan as bold as that of 1785 and Dundas felt that the time was right. It confirms his reputation as a would-be legal reformer but in fact nothing came of it. Probably it was

lost in the frantic Summer of 1792, and Alexander Abercromby was appointed to the vacant seat after a short delay. His stay was brief but he was thought a good choice.¹⁴⁸

In anticipation of several vacancies on the bench, Dundas as Home Secretary wrote to Campbell in November 1792, asking for a statement of suitable candidates possessed of integrity, impartiality and firmness.¹⁴⁹ He was at once admitting that all question of altering the Court was ended and simultaneously setting down the standards by which his successors in the Home Office should make appointments. Campbell's reply detailed the claims of the better advocates and classified their pretensions.¹⁵⁰ Lord Hailes's death had made matters pressing and Rolland, Blair and Fergusson, all on Campbell's list, had declined promotion.¹⁵¹ It was finally offered to William Craig, Sheriff of Ayr. He was scarcely known to Dundas, but was well recommended by Campbell and received the post without solicitation.¹⁵²

The deaths of Lords Ellick and Gardenstone in July 1793 cleared seats for William Baillie to become Lord Polkemmet and David Smyth to be Lord Methven. Baillie was prominent in Campbell's 1792 list and also enjoyed the recommendation of the new Chancellor, Loughborough. Smyth's elevation was more problematic for Dundas:

"The most material objection I have to that appointment is the Duke of Athole[sic] having wrote to ask it, and I am perfectly decided to extirpate the idea from Scotland of any great man writing to me on the subject of a judge's gown, or thinking that they have the smallest right to interfere in it, one way or other, and far less to ask it as a favour".

In the end, convinced of Smyth's fitness, Dundas relented.¹⁵³ His

criticism of Atholl is interesting, for it suggests one positive achievement in his legal appointments. It is true that the Judges appointed, at least prior to 1796, tended to be men well-affected to Dundas. It does seem, however, that Dundas started to break the age old connection between political influence and judicial appointments. The break was not total but it was real enough and he had begun early. In 1785, Boswell had accused him of wishing to make the bench more biddable to his politics.¹⁵⁴ Months later when Boswell, citing his support for Pitt's government, came looking for a gown, Dundas's reply was gleeful:

"he [Dundas] cannot admit that political merit of any kind is the proper road to judicial promotion. That opinion was one of the great foundations for thinking that the judges in Scotland were too numerous; if they were less so, such kind of merit would not be urged for such a purpose".¹⁵⁵

George Buchan Hepburn, who tried to connect his political influence in East Lothian to his hopes for a gown in 1788, received an even dustier reply.¹⁵⁶ The tragedy for Dundas was that despite all his efforts in this direction, he received little credit for them and history has instead focussed its attention on the other political aspect to his legal appointments, the exclusion of the Whigs.

Lord Henderland's death in 1795 was the first vacancy since Portland had joined Pitt. Portland initially hoped to appoint an old friend, the opposition advocate Robert Cullen, but this was not practicable.¹⁵⁷ Henderland's session gown went to William Miller at the suggestion of Ilay Campbell and the Chancellor.¹⁵⁸ The justiciary gown went to Lord Craig.¹⁵⁹

Portland's hopes of appointing Cullen revived in 1796. The place vacated by Abercromby's death was again refused by the best candidates¹⁶⁰ and while Dundas inclined to William Honyman, son-in-law to Braxfield, Portland hoped for Cullen. There was considerable delay with Loughborough and Dundas failing to keep Portland informed, indeed almost dropping out of sight. In the end, Portland turned the decision over to the Lord Advocate, merely noting his preference for either Cullen or the President's son-in-law John Connell.¹⁶¹ Robert Dundas and his Scottish advisers had already decided Allan Maconochie was the most suitable candidate for the empty Session gown and Methven for the Justiciary gown¹⁶² and they were appointed.¹⁶³ In consoling Cullen, Portland gave the clearest indication that he was following Dundas's precepts in making appointments:

"I understand that it was either in contemplation or had been laid down as a rule, by way of [a] barrier against improper sollicitations [sic] or applications, to offer the seats upon the bench as they became vacant, according to the seniority of those who actually were or ought to be considered as proper candidates for that promotion, always reserving as it may be supposed in cases of equal or nearly equal standing, that right of preference which the human mind can not & indeed ought not to divert itself from the desire of shewing in certain cases".¹⁶⁴

In fact Cullen's disappointment was short. With Lord Alva's death in May 1796, Portland again pressed his friend's claims, which were now strong. The Lord President was not enthused with this and he had to be reconciled to it by Dundas, who was also unhappy. In the end, Cullen was appointed.¹⁶⁵ Some of Dundas's fears would prove well founded and Cullen would oppose him in years to come.

William Honyman came to the bench in 1797 with the recommendation

of Dundas and the Chancellor.¹⁶⁶ His connection with the Lord Justice Clerk and his involvement with the government party in Orkney politics meant that the appointment was not entirely approved of by observers. He received a Justiciary gown in 1799 but he latterly fell out with Dundas for reasons that are obscure.¹⁶⁷ He was involved in opposing the government candidate at the 1802 Lanark burgh election and in 1805 he was encouraging the Hamilton family to attack the Hopetoun interest in West Lothian.¹⁶⁸ In 1806, he and Lord Douglas regarded themselves as potential candidates for managing Scotland for the Talents ministry.¹⁶⁹ His judicial appointment was perhaps one of the few misjudgements that Dundas made in his legal patronage.

The deaths of Swinton, Monboddo and Braxfield between January and May 1799 led to a complicated arrangement that summer, as the various contenders gathered. Swinton's death vacated two gowns and Portland insisted on his Justiciary gown going to Cullen and his Session gown to William Macleod Bannatyne. The Dundases were unenthusiastic about Cullen's promotion but seem to have regarded it as inevitable.¹⁷⁰ Bannatyne was another matter. Robert Dundas had long since written to Portland, recognising Bannatyne's qualifications but pointing to him as a supporter of parliamentary reform, an avowed adherent of opposition and an opponent of the war. This, Portland was warned, would not make his appointment as Judge popular with the Scottish propertied classes.¹⁷¹ By 1799, Bannatyne's claims, pressed by the Marquis of Bute, were strong. Loughborough and Dundas inclined to appoint Claude Boswell, Sheriff of Fife. The Advocate by now admitted Bannatyne's pretensions on the grounds

that it would be improper to pass him over any longer, but he hoped that the final say would rest with the President.¹⁷²

In effect, Portland had already been given his way and Bannatyne was appointed. He was a good Judge but he would join Cullen in opposing Dundas in later years.

Monboddo was replaced by Claude Boswell, Lord Balmuto. His elevation was due largely to his success in detecting the conspiracies of the United Scotsmen but it also allowed the Chancellor to advance a friend, Neil Fergusson, to the Fife Sheriffship.¹⁷³

Braxfield had been in negotiation to resign for some time before his death. Despite pressure, Robert Blair refused to take the Justice Clerkship, citing his ill health. It was eventually settled that Eskgrove would get the office, with Armadale getting Eskgrove's Justiciary gown.¹⁷⁴ Braxfield's death, before the details were settled, did not interfere with the arrangement. The vacant Session gown fell to George Fergusson. The Lord President had preferred the claims of Alexander Fraser Tytler, and Fergusson had initially asked for a double gown. Since he had already refused this in 1796, it could not be re-offered and it was only after correspondence between the Advocate and the Chancellor, that the offer of a single gown was made. Fergusson accepted.¹⁷⁵

By the time of the next vacancy in the Court, Pitt and Dundas were out of office. Lord Stonefield, who died in June 1801, was replaced, after some delay, by Alexander Fraser Tytler. We will see later that the appointment, made by the Home Secretary, Lord

Pelham, did not involve consultation with Dundas or even, apparently, the Lord Chancellor. This seems to have been part of Pelham's endeavours to avoid surrendering his department's Scottish influence to Dundas. It was not in fact an appointment with which Dundas would have disagreed.¹⁷⁶

Five months after Pitt and Dundas (now Melville) returned to power, Lord Justice Eskgrove died. The new administration was weak and the Addington years had seen a revival of opposition both in Scotland and England. Melville had privately considered offering the Justice Clerk's post to Henry Erskine. It was a novel idea, recognising Erskine's considerable talents, perhaps producing some political conciliation in Scotland and at the same time blocking him from the Advocate's post should Fox come to power. Quite independently, the notion was canvassed by Lord Moira in private conversations with Charles Hope, Lord Advocate since 1801. Moira was an intimate of the Prince of Wales but was less close to the Whigs to whom he was nominally attached. As Commander-in-Chief in Scotland, Hope and he had formed a close friendship.¹⁷⁷ The offer was indeed made to Erskine, late in 1804, but he declined, preferring to remain with his old political allies.¹⁷⁸ The Justice Clerkship was given instead to Charles Hope.

After Hope's appointment, it would be some time before Melville again took any leading concern in judicial arrangements. The next vacancy, in 1805, would occur when he was occupied with his impeachment and at a time when the delays in Court of Session business and the number of Scottish appeals to the Lords had become such acute

embarrassments that the Home Secretary and the Chancellor had resolved on reform. Their plans, although aborted, commenced a period of three years of attempts at reform, culminating in Chancellor Eldon's division of the Court in 1808. It is a suitable point from which to try and draw some conclusions about Dundas's policy towards the judiciary.

Lord Liverpool would describe Eldon's reforms

"as a new aera [sic] with regard to appointments... It was declared at that time, and it has since been acted upon in the case of the Court of Sessions [sic], that the person best qualified, whoever he might be, provided he was a man of good principles, should have the offer of the vacant seat upon the bench, without any regard to favour or political arrangement".¹⁷⁹

This by implication, was a damning indictment of Dundas's years in power and it seems very unfair. Trained as a Scottish lawyer, Dundas was fully aware of the failings of the legal system. He tried to improve the standards in sheriff court appointments. His understanding of the problems facing the Court of Session led him twice to try to reform it, in 1785 and 1792. In both cases he was thwarted by outside influences. It is also clear that he made a determined and apparently successful stand against appointments based on political influence. At all times he took advice to identify the best candidates for vacancies but he was not always able to recruit them because too often they would refuse for financial and other reasons. In the end, Dundas himself began to wonder whether the bar could produce enough suitable candidates. He certainly failed to purge the bench of superannuated judges. This may have reflected the fall in the King's revenues during the war, leaving little cash for pensions

to "buy out" elderly Judges. But it is also interesting that even after statutory provision for such pensions was introduced in 1808, the problem continued and Dundas was the first to admit that some places in the courts were not properly filled.¹⁸⁰

That some of the best talent in the Scots law was recognised to be with the opposition, was no help to Dundas. He was clearly unhappy about elevating Cullen and Bannatyne but he did not resent their progress on grounds of narrow political calculation. He, and many others among the ruling classes, genuinely believed that it would be criminal folly to allow onto the bench men of dubious principles at a time when the very order of society was threatened. In this sense, the political struggles of the time inhibited Dundas's genuine wish to raise judicial standards and in the last days of his life he was bemoaning the 'spirit of party' in the Faculty that caused so much trouble. It is significant that even at this stage he hoped that

"in the future selection of judges nothing need be considered or looked to but the personal character and the professional merits of those who may be desirous of seats on the benches of the courts of justice". 181

This itself gives the lie to Liverpool's claims of a new system of appointing judges and casts doubt over assertions that in some way appointments made after Dundas's political demise were different in their emphasis from those that had gone before.¹⁸² On an overview, it is hard to avoid the conclusion that Dundas's general intentions concerning the judiciary were excellent. Unfortunately he was defeated by the circumstances of the time, some of them structural to the legal profession, some of them political. He

deserved more credit for his efforts than he got.

Of the church business that fell to the Home Secretary, that of presenting clergy to Crown patronages in the established church was the most time-consuming and complicated.

There were some 940 civil parishes in Scotland, the ministers of about two thirds of which were chosen by local landowners, burgh magistrates, universities and others. The remainder were appointed by the Crown.¹⁸³ Choosing the minister in a vacant parish could be difficult, with landowners and inhabitants splitting into factions, through personal feuds, or differences over the merits of candidates. In Crown patronages, a dispute could become a politician's nightmare:

"In short, let a kirk be vacant, & they fly like crows to fill it up. It may be impious to wish them all at the Devil, which in the bitterness of teizing [sic] I have frequently done: But there can be no impiety in wishing the clergy to be immortal, that there may be no vacancies as long as I remain on the surface of this earth".¹⁸⁴

Normally the local MP would nominate the candidate to a Crown patronage but this did not necessarily provide a simple solution. The lament above concerned the disputed choice of a minister for Lanark in 1793. The burgh MP, who had only recently come to support government, did not concern himself. Part of the parish was in Lanarkshire and the county MP belatedly claimed a say.¹⁸⁵ Battle-lines had already been drawn, however. Lady Elizabeth Baillie, a local landowner, agreed to support any candidate put forward by the magistrates. They organised a public poll and in the end opted for James Mackinlay, minister of Kilmarnock. Lady Baillie would later hint that the magistrates' mode of choosing was unsuitable¹⁸⁶ but it drove another landowner,

Lockhart of Cleghorn, to fury and with the families of Lockhart of Lee and Baillie of Jerviswood he pressed another candidate.¹⁸⁷ There were conflicting claims about Mackinlay's political dispositions.¹⁸⁸ After weeks of dispute, Dundas, as Scottish manager and Home Secretary, found a compromise candidate, William Menzies.¹⁸⁹ The conflict was typical in terms of the passions invoked and the contenders involved, and there would be more like it in the years that followed. Several indeed were in the same area, notably at Larbert and Falkirk in 1793, at Slamannan in 1798 and at Polmont in 1800, all of them where local landowners fell out over choosing the minister. Of course not all presentations were contested, but government was anxious to avoid disputes because of the trouble and bad feeling caused. Dundas was in fact remarkably successful in curtailing such strife and the evidence suggests his rule was marked by fewer such difficulties than almost any previous period.¹⁹⁰

The reason for this appears to rest on Dundas's understanding of the problem. He was aware of two basic tensions, that between groups of landowners and that between the landowners as a whole and the ordinary parishioners, many of whom resented the very principle of patronage that allowed others to choose their preacher. It was the former tension that concerned Dundas. To the latter, he affected indifference:

"As to the wishes of the tenants and the other parishioners, though I certainly should be happy at all times to accord with them, yet you must be sensible that it would not only be subverting the system that has been hitherto almost invariably observed, in disposing of the patronage of the Church of Scotland, but it would be introducing a dangerous precedent, which might eventually lead to the subversion of one of our most important establishments, if the wishes of the tenantry and the other parishioners were to be attended to in preference to those of a majority of the landholders".¹⁹¹

Dundas's careful attention to the landed interest was described by George Home in 1793:

"It seems to be the generall [sic] understanding of every man in this country that presentations are not to be given at the pleasure of the member of parliament but to the principal heretors [sic]. Mr Dundas was always so chaste in this particular in Midlothian that he has often given presentations to his political enemies in opposition to his freinds [sic]". 192

In his position as manager and Home Secretary, Dundas was able to foster and extend his system. As ever, the MP was the channel for applications to government and Dundas would normally approve applications provided that he was satisfied that the candidate enjoyed the support of the majority of the parish heritors. Quite often this 'majority' would be calculated by totalling the valued rent of the property possessed by the landowners who were behind a particular presentee.¹⁹³ If he was not satisfied that a candidate had the support of the heritors, perhaps because the MP was trying to impose a minister on a parish to gratify other political friends, Dundas would intervene.¹⁹⁴ It is difficult to date the introduction of this principle. As late as 1788, George Home, quite knowledgeable in these matters, had to advise his cousin, the MP:

"... I do not feel perfectly as you do with regard to bestowing of presentations. To give them to the majority of heretors [sic] appears to me as sure a way of making friends, and a more certain way of not making enemies, than giving them to a particular application ... giving them to the majority will appear to all an act of justice, which will be the more thought of that it is litle [sic] practiced [sic]".

Clearly Dundas's methods were not fully in operation at that date.¹⁹⁵ By 1793, it was on the way to becoming the norm, suggesting that the turning point was Dundas's tenure of the Home

Office. Dundas would thwart improper attempts to sidestep the MP's power of nomination¹⁹⁶ but the MP's position was subtly changed and he could no longer exercise it with absolute freedom. Portland continued this system during his years in office and in any case he was always willing to take advice from Dundas on such matters.¹⁹⁷ Later Home Secretaries did likewise.¹⁹⁸

These principles went some way to separating Crown presentations from politics. If the heritors (or burgh magistrates) had the main say, it mattered little whether the MP passing on the nomination was a supporter or an opponent of government. An opposition MP might find that the friends of government could obtain presentations directly from the Home Office over his head¹⁹⁹ but he might equally be able to succeed in nominations himself, provided he truly represented the heritors' wishes.²⁰⁰

We have alluded to the unpopularity of the church patronage system among the people at large, and the politicians were well aware of this.²⁰¹ Throughout the century there had been local outbursts of unrest when parishioners with a memory of times when they had had more say in church patronage, would riot at the induction of unpopular presentees.²⁰² Nor did the occasional misuse of presentations as part of local electoral pacts do the reputation of the clergy any good.²⁰³ One major consequence of the popular aversion to the patronage system was the continuing defection of parishioners to the various secession congregations outwith the established church. This concerned

the ruling classes who, like Dundas, felt that the power of the clergy over their flocks was essential to their orderly behaviour and who feared the apparently unconstitutional principles of the secession churches.²⁰⁴ Unfortunately Dundas's concern, as we have noted, did not extend to involving the parishioners in choosing their clerics. Nonetheless, it does seem that his time in power was marked by fewer local disturbances about presentations. Perhaps his system of effectively giving influence to local lairds allowed the wishes of some congregations to be gratified by compliant landowners. Some observers were convinced that the revolutionary scare had made local landowners, fearful of unrest, more willing to listen to the people below. The principal heritor at Denny in 1799, Morehead of Herbertshire, was prevailed on by the locals to let them choose a presentee. Morehead had apparently been much intimidated by the militia riots of 1797 and this had swayed his conduct.²⁰⁵ Ultimately the popular choice fell on a John Dempster "notoriously wild [i.e. Evangelical] in church affairs" and it was left to a Moderate to lament:

"I highly disapprove of the conduct adopted by some gentlemen of late, of applying for presentations to the man who is the choice of the people, because they say the times are dangerous".²⁰⁶

Certainly this argument was in vogue and not all landowners would have held it in the contempt that the Duke of Montrose did.²⁰⁷

These two developments in church patronage business, the recognised primacy of the rights of local heritors in making the choice and the apparent, if temporary, willingness by some landowners to listen to popular demands, had consequences for the two parties

struggling for dominance in the Church of Scotland.

The Moderate party in the Church had formed in the mid-eighteenth century.²⁰⁸ During Dundas's years of power it was led first by the aged Dr Alexander Carlyle and then, from the late 1780s, by Dr George Hill, soon to be Principal of St Mary's College, St Andrews. Hill also had the support of Drs James Finlayson and Henry Grieve in Edinburgh and of Dr William Porteous in Glasgow. The party had internal differences - Hill had little time for Dr Thomas Somerville, the Moderate historian²⁰⁹ - and at the end of the period there was a near split between the Edinburgh and St Andrews wings.²¹⁰ In 1807, a Moderate summarised their policy:

"... to render the established religion, its ministers, and the whole government of the church independent of the humours and prejudices of the people ... to leave ministers at liberty to inculcate without restraint the knowledge and practice of genuine religion and morals, and to cherish a spirit of subordination and of submission to lawful authority".²¹¹

This included a near total acceptance of the principle of church patronage and the party as a whole had a close working relationship with government. It was not a set of values that entirely agreed with the congregations of the late century.²¹²

The Evangelical ('Wild', 'Popular' or 'High Flyer') party was led by Sir Henry Moncrieffe Wellwood, Dr. John Erskine and Dr. Thomas Davidson, all Edinburgh ministers. They had long advocated the abolition of patronage and in this they were close to the popular mind. The Moderates damned them:

"...in the opinion of many of the most respectable persons in this country, their system of ecclesiastical conduct lays too much stress upon the sentiments and prejudices of the people, and has therefore a tendency to engender a spirit of discontent not only with all matters connected with the administration of the government of the church, but also with the institutions of civil society".²¹³

This was over-strong and the Evangelicals were angry at the way in which their opponents posed as the only true friends of government. In the main they were firm to the Constitution²¹⁴ and indeed they came from much the same social background as their opponents.²¹⁵ Far from wishing church patronage to be turned over to popular election, they wished it to be given to the local heritors and elders. This was not social radicalism.²¹⁶

Church politics had always centred on struggles to dominate the ecclesiastical courts and the Moderates had mixed fortunes for much of this period. This stemmed partly from their failure to dominate the presbyteries, save in a few lowland and East coast areas²¹⁷ and there is much anecdotal evidence to show presbyteries balanced against them.²¹⁸ The Moderates had always been strongest in the General Assembly where a significant lay membership tended to work in their favour²¹⁹ and this strength appears to have endured, with occasional lapses, until well into the nineteenth century. The party placed much dependence on local landowners to influence the many uncommitted clergy and elders sent to the Assembly. Thus Eglinton was of enormous importance to their attempts to steer the Ayrshire presbyteries in the 1797 debates concerning chapels-of-ease.²²⁰ Conversely, the active part taken against them by Argyll and Sir James Grant in the 1807 Clerkship election was seen as disastrous.²²¹

Dundas's attitudes also posed problems for the Moderates. Robert Dundas, Lord Advocate was an avowed champion of the Moderates²²² but his uncle, explaining his views to a son who doubted the merits of supporting the party, was more circumspect:

"I cannot agree in the extreme of the claims held up by what is called the Moderate Interest. Perhaps likewise I entertain some shade of difference with you as to the total exclusion of any other principle being attended to but the general political principles of a candidate for a church. The truth in my opinion lays [sic] in the middle".²²³

What this meant in effect was that Dundas would try to help the Moderates, but only consistently with his general rules of church patronage. Landowners and others might be thought to have a natural disposition to forward Moderates, but time after time there are cases where Evangelicals stepped triumphantly into parishes, to Moderate chagrin. This happened at Slamannan in 1798, when the small heritors pressed an Evangelical candidate on an indignant Duke of Montrose, and at Denny in 1799.²²⁴ There are other examples.²²⁵ Quite simply, Dundas, well aware of the essential constitutional loyalty of the Evangelicals, had no difficulty in subordinating the Moderate party's interests to his own wish for tranquility among the heritors and freeholders. In the long run, the effect was pronounced. The Chief Baron lamented in 1808:

"The Popular party in the church ... are infinitely more assiduous in their measures, than our friends; & by applying through every possible channel, they have in the case of every vacancy of a church in Scotland, succeeded so often in putting in clergy of their way of thinking, that many presbyteries, which formerly & in my experience consisted of a great majority of Moderate clergy, are now gradually converted into Wild presbyteries & uniformly send to the Assembly members of that description".²²⁶

Dundas was not indifferent to the Moderates, however. He knew that the church ministers as a whole took their lead from the Edinburgh presbytery and that it was Edinburgh and neighbouring clergy who dominated church business when the Assembly was not in session.²²⁷ Most previous administrations had stacked the Edinburgh presbytery with Moderates and Dundas was no different.²²⁸ His success was delayed, however. The presbytery had long been in Evangelical hands and it was not until 1791, that the Moderates regained control.²²⁹ Indeed, in later years it would again come perilously close to an Evangelical majority.²³⁰ In general, if Dundas believed that a clergyman might prove to be democratic or radical in inclination, he would try to block his progress and it was all too easy for an Evangelical to find his prospects ruined by the artful slander of Moderate opponents.²³¹ Where possible, Dundas would bolster the Moderates. In 1791, the Moderate Dr Hugh Blair reported that with the Linlithgow presbytery finely balanced between Moderates and Evangelicals, it was vital that a Moderate obtain the vacant Linlithgow church. The competition had "drawn a good deal of attention to the issue" and Blair pressed the claims of two Moderates, Wilson and Meiklejohn.²³² Wilson had the support of a local heritor but the Hopetoun family, also heritors, had another candidate.²³³ Dundas, involved as Home Secretary, had an ingenious solution. Through Lord Torphichen, he persuaded James Dobie, minister at Midcalder, to accept the Linlithgow charge. Torphichen, who had the patronage of Midcalder, promptly presented Wilson.²³⁴ By this game of musical chairs the Moderates were strengthened on the Presbytery.²³⁵

The Moderates also did very well out of the chaplaincies in the government's gift, "the prizes in our ecclesiastical lottery", Hill called them.²³⁶ In 1784, Dundas had written of one contender for a chaplaincy, "The circumstance ... of his being a candidate upon the Wild Interest would certainly have operated agt [sic] him...".²³⁷ The appointments that he made broadly followed this principle.

Appointments to Chaplaincies and Deaneries, 1784-1810²³⁸

<u>Date</u>	<u>Name</u>	<u>Post</u>	<u>Party</u>
1784, Feb.-Mar.	Dr Henry Grieve	Dean and Chaplain	Moderate
1785, June	Dr Alexander Carlyle	Dean and Chaplain	Moderate
1786, January	Dr James Gillespie	Chaplain	Moderate
1788, July	Dr Joseph McCormick	Dean and Chaplain	Moderate
1791, June	Dr George Hill	Chaplain	Moderate
1793, September	Dr Thomas Robertson	Chaplain	(?)Moderate ²³⁹
	Dr David Johnston	Chaplain	Evangelical
	Dr Thomas Hardy	Chaplain	Moderate
	Dr Thomas Somerville	Chaplain	Moderate
	Dr William Paul	Chaplain	Evangelical
1795, April	Dr James Blinshall	Chaplain	(?)Moderate ²⁴⁰
1798, December	Dr Gilbert Gerard	Chaplain	Moderate
	Dr Thomas Somerville	Chaplain	Moderate
1799, July	Dr George Hill	Dean and Chaplain	Moderate
	Dr Alexander Fleming	Chaplain	? 241
1800, March	Dr William L. Brown	Chaplain	Moderate/ Evangelical ²⁴²
1802, November	Dr George Gordon	Chaplain	Moderate
1803, September	Rev. John McKenzie	Chaplain	?243
1805, September	Dr Robert Muter	Dean and Chaplain	Moderate
1810, February	Dr John Inglis	Dean and Chaplain	Moderate

The position in the universities bore some resemblance to this pattern. At Edinburgh, where he was MP and at St Andrews where he was Chancellor from 1788, Dundas would claim

"Every Professor ... has been appointed for more than twenty years past either actually by myself or upon my recommendation, and I have the satisfaction to reflect that in no one instance have I been mistaken. Endeed [sic] the flourishing state of those universities is the best proof of it. I believe I may say the same as to the other

two universities, at least so far as the presentations have flown from the crown. I do not speak of them, however, with the same confidence as in all the appointments to those universities, I made it my rule to be guided by the recommendation of their respective chancellors".²⁴⁴

Whether the appointments were good ones is debateable. The Moderate grip on St Andrews was strong but not absolute. Dundas conferred numerous favours on the professors of the two Colleges.²⁴⁵ Under Hill's direction the University came to have a bad reputation for nepotism and by 1807 one half of the professorate was closely connected to him "by the ties of blood or affinity".²⁴⁶ This situation seems to have gone unchallenged until Dundas appointed Dr James Playfair Principal of United College in 1800. A Moderate, Playfair had Foxite connections but it seems unlikely that this was the main determinant of his conduct.²⁴⁷ It is more likely that he was driven by a desire to appoint the best possible candidates to professorships and from 1804 onwards, he and his allies struggled with Hill's party in a prolonged battle for control of United College.²⁴⁸ Hill was at times hard pressed²⁴⁹ but his struggle was essentially personal, to protect his family influence rather than that of the Moderates or of the University. By 1810, even Melville betrayed exasperation with his antics.²⁵⁰ Edinburgh similarly seems to have been Moderate in leaning. From 1793, it was under the incompetent Principal George Baird, son-in-law to Provost Elder²⁵¹ and at least one clerical observer, looking at Dundas's professorial appointments, concluded that he considered them as no improper method of augmenting the livings of the town clergy.²⁵² Dugald Stewart, Professor of Moral Philosophy, presented the most obvious face of opposition within the university, but Dr Hunter, Professor of Divinity, was also a prominent Evangelical.

At Glasgow University, the situation was different. Montrose, Chancellor from 1786, aimed for the public's advantage in his appointments²⁵³ but he also attached importance to the "political opinions as well as to the learning and morality of those persons to whom the charge of educating the youth of this country is to be entrusted".²⁵⁴ He would try to stop men of "wild principles" getting professorships but the task was a bed of nails for him.²⁵⁵ The University was one of the spiritual homes of opposition in Scotland with John Millar, Professor of Scots Law, at its centre. An 'Independent Friend', he had educated both Lauderdale and Thomas Muir.²⁵⁶ To the end of the century, he and his friends were in a strong position at Glasgow²⁵⁷ and it was not until 1804 that the supporters of government gained some ascendancy in the professorate.²⁵⁸ The situation is less clear at Aberdeen, and it was here, as we will see, that the Moderate party was to suffer its most damaging defection.

All these points form the background to the church politics of Dundas's era. The long struggle between Moderates and Evangelicals over the acceptance of patronage had flared and finally died in the early 1780s. This may have been due in the first instance to a recognition by the Evangelicals that Pitt's government, which supported patronage, was there to stay: resistance was futile. In retrospect, Dundas attributed the cooling of the ancient struggle to his own patronage policy. Since he was even-handed to the heritors, he in effect met some of the Evangelical demands.²⁵⁹

Other struggles continued. Connections forged between the

Evangelicals and the Whigs in the early 1780s, and much older links between Dundas and the Moderates, made church politics something of a reflection of secular politics.²⁶⁰ The election for the Assembly Clerkship in 1789 and the Test Act agitation of 1791 had seriously embarrassed the Moderates. In 1790, George Hill, pressing for the augmentation of small stipends, warned:

"Schemes proceeding always from opposition, however improper in themselves, convey to the clergy an impression that that description of men are their only zealous friends, & that those who have power are backward to exert it for their relief; And this impression will concur with other circumstances to throw so tumultuous a court as the General Assembly more & more into the hands of opposition...".²⁶¹

Dundas was in fact completely unable to persuade the landed classes to support a 1793 bill for augmenting stipends.²⁶²

As time passed, the Moderates' situation seems to have worsened as the Evangelicals gained in strength. The onset of the French Revolution did much to mask this, however. Portland instructed his Evangelical allies to temper their conduct²⁶³ and at the end of 1792, Dundas met the leading Evangelicals in Edinburgh, when a truce was agreed in church struggles.²⁶⁴ To the disgust of the Moderates, part of the deal involved a wider distribution of Church favours and in September 1793, two Evangelicals received chaplaincies.²⁶⁵ Loyal though they were, the Evangelicals would never fully escape the Moderate accusation that they were violent "in state politics, and disposed to engraft them into ... religious instructions".²⁶⁶ Yet the Moderates definitely benefited from their opponents' comparative silence and the mid-1790s were quiet years in the Assembly.²⁶⁷ Only two issues, the missionary activity

of the Haldanes and the problem of chapels-of-ease, disturbed the peace.

The Haldanes caused some stir from 1796, as they and their preachers traversed Scotland enthusing large crowds with evangelical religion. The established church viewed this with suspicion. The Haldanes' political loyalties were doubted²⁶⁸ and hence the motives for their missions. George Hill was convinced that the aim of the missionaries was "to destroy that influence which the ministers of the church have over the public mind, and so to prepare the way for the operations of seditious demagogues". The Assembly of 1799 took steps to break what limited local links had been formed between established clergy and missionaries. This does not seem to have become a party measure and the Evangelicals and Moderates were agreed in opposing what amounted to an attack on ecclesiastical standards and methods.²⁶⁹

More contentious was the issue of chapels-of-ease. As the population grew, some existing parish churches were unable to cope and in several places chapels were erected to take the overspill. The Moderates disliked this: chapels drew off income (collections) from the established churches,²⁷⁰ they were thought to increase the influence of the Evangelical party, and they weakened the law of patronage.²⁷¹ Some, wrote Hill,

"are erected upon account of dissatisfaction with the established minister, they become a licensed secession; And they may be, in certain circumstances, nurseries of sedition & fanaticism; the more likely to pervert the minds of the people that they have the name of being connected with the Church".

In 1795, against Evangelical opposition, the Moderates started moves to regulate chapels.²⁷² The result was an overture by the 1796 Assembly for the presbyteries to consider. Chapels could be refused by local presbyteries but permitted only by the Assembly. This, the Moderates felt, would remove the power from courts susceptible to local pressures, delivering it instead to the Assembly, where they could hope to dominate business.²⁷³ The Evangelicals argued that the overture was unconstitutional - the Assembly was a court of appeal rather than of first decision - nor would local issues get a proper airing. They knew well that it was designed to obstruct chapels and they feared the gains the seceders would make from this situation.²⁷⁴ The Assembly of 1798 took the Moderate line and this served to slow the growth of chapels.²⁷⁵

From about 1800, church politics warmed up. One symbol of this was the defection of the Moderate Principal William Brown of Marischal College, to the Evangelicals. He had tutored Dundas's grand nephews and his father as a St Andrews professor had forwarded Dundas's election as Chancellor.²⁷⁶ In 1790, Dundas had hoped to appoint him to succeed his father but Hill and his associates blocked this. Brown's rage at this persecution of his father's family by the St Andrews oligarchy was central to his later conduct.²⁷⁷ In 1795, with the support of Dundas, Lord Auckland and the Archbishop of Canterbury, Brown became Principal at Marischal²⁷⁸ and in 1800, he was made a royal chaplain.²⁷⁹ That year he opposed Hill in the Assembly over a Fife church presentation, and the latter reported that Brown "is to put himself at the head of our opposition".²⁸⁰ In 1803, he was described as a "factious and inflammatory leader" of

opposition but he was defended by Lord Auckland who rebutted accusations that Brown was a democrat. In their private moments, Dundas's supporters admitted that Brown's church politics derived largely from his hatred of Hill.²⁸¹ It was another example of the way in which the Moderates could generate their own opposition.

In 1805, the Moderates were defeated in a struggle in the Assembly over the appointment by the Town Council of Dr John Leslie to be Professor of Mathematics at Edinburgh University. They had fielded their own candidate, an Edinburgh minister, but their endeavours to arrange for him to hold the chair with his city living had caused offence. Professors Dugald Stewart and John Playfair began to press the claims of Dr Leslie. The Moderates claimed that some of his writings were heretical in content and for a time they had Evangelical support in opposing him. In fact the council pushed ahead with his appointment and the Evangelicals latterly accepted his professions of orthodoxy. Not so the Moderates, who by progressions brought their case to the Assembly. Here the Evangelicals backed Leslie and outvoted their opponents' attempts to have the matter referred to the Assembly's judgement.²⁸² This outcome was a blow to the Moderates and it discredited them among the thinking classes but the short term effects should not be exaggerated. They had suffered defeats before and the voting was not clear cut, with many abstentions on both sides.²⁸³ What it does suggest is the underlying weakness of the Moderate position. The years of government indifference to their plight were beginning to be felt. Despite this, the party bounced back in 1806, electing

their candidate John Connell to be Procurator of the Church, defeating the Evangelical candidate, Sir James Moncrieff. This was at an unusually busy Assembly and Connell's canvass was much helped by the popularity among the clergy of his father-in-law, Ilay Campbell.²⁸⁴ The good effects of this were shaded the next year by the election to the Assembly Clerkship vacated by Professor Dalzel's death. The Moderates backed Dr. Dickson of Leith and they and their allies put considerable efforts into securing voters.²⁸⁵ Despite their optimism, circumstances were adverse. The Talents were in power during most of the canvass and their lay allies pushed for the Evangelical candidate, Dr Duncan of Ratho.²⁸⁶ To these were added defectors from the ranks of normally Moderate-supporting landowners and the Moderate clergy were themselves threatened with the loss of their chaplaincies.²⁸⁷ Hill had hoped for compromise but a representation of the Moderate case to the Home Secretary, Spencer, made no difference and the Moderates were beaten 180 votes to 132, with three chaplains supporting Duncan.²⁸⁸

With the return of the Pittites to power in 1807, church politics calmed down again. Melville resumed his discreet support for the Moderates, helping Dr William Ritchie to the divinity Chair at Edinburgh in 1809, after an anxious letter from Dr Grieve calling for the appointment of a Moderate.²⁸⁹ The general government policy concerning church presentations remained unchanged, however. In this way, the long term problems afflicting the Moderates continued. Worse was threatened by the Scottish rule of Melville's son. He was completely indifferent to the Moderates, feeling that a candidate for a charge

need only display general loyalty to the constitution, rather than particularly to the Moderates. It was a qualification that most Evangelicals could readily fulfil.²⁹⁰

In conclusion, Dundas's policy towards the established church can be summarised as support for the Moderate party but only where it was consistent with his own, wider political objectives. One of the real concerns for Dundas in involving himself in church affairs was, as we have suggested above, the fact that the clergy of the churches generally were perceived by the political classes to have a considerable hold over their congregations.²⁹¹ In this sense, they were seen as one of the main agents of social control in the years of radical unrest. With the ready co-operation of the Evangelicals from 1792, the established clergy sermonized their flocks with one voice. There were others outwith the establishment, however.

The Episcopalian and Roman Catholic churches gave the ruling classes little trouble. Several nobles and gentlemen were episcopalian and the group as a whole was much gratified by the measure of relief from penal disabilities granted to them with government acquiescence in 1792.²⁹² The Roman Catholics, already hostile to the French Revolution, were brought closer to government by a measure of relief in 1793 and by the subsequent granting of secret government funds to their clergy.²⁹³

More problematic for government were the seceding congregations, numbering between 100 and 150,000 members and concentrated in Edinburgh, Glasgow and the weaving districts.²⁹⁴ They were grouped in four sects, the Antiburgher, the Burgher Associate and the Relief Synods, and the Associate Presbytery. All were the offspring

of earlier secessions from the established church, splits that were partly rooted in doctrinal disputes but mainly in the seceders' dislike of church patronage. In the secession churches the congregations chose their own ministers and in a real sense this acted as a safety valve for the established church, bleeding off the ranks of the discontented. For the ruling classes the seceders were disturbing, for their aversion to the established church was reflected in their secular politics and the clergy and congregations were considered to be "deeply disaffected".²⁹⁵ In some places there is clear evidence that seceding clergy took a loyalist stance and some had links with established church clergy²⁹⁶ but the body as a whole remained very suspect.²⁹⁷ Young, the Antiburgher minister at Hawick, was deserted by his congregation for loyalist pamphleteering. The government breakthrough came in 1798, when Lord Advocate Dundas was secretly visited by the leading Burgher clergy, who came of their own volition in response to the apparently worsening domestic situation. They pledged to try and combat sedition among their congregations and soon after, they sent a loyal address to the Crown from the body of their clergy.²⁹⁸ The effect of this declaration by men hitherto considered disloyal was thought by government to be considerable, and a regular sum was secretly allocated to one of their number, the Rev. James Hall, to help in the work of encouraging loyalty among the clergy and congregations.²⁹⁹ Either at this point or later, similar links were established between government and the Antiburgher clergy.³⁰⁰ Both connections were maintained over several years and went far to allay concern about the seceders.

CHAPTER FIVE: REFERENCES

1. An excellent guide to the working of the department is R.R. Nelson, The Home Office, 1782-1801 (Duke University, 1969). I have made much use of it.
2. SRO, Home of Wedderburn, GD267/1/17/2, George Home to Patrick Home MP, 20 February 1793: "I am not surprised that applications for presentations and the like, should be less attended to at present than they ought to be, and I can assure you that Coldinghame is not the only one that is forgot, there is one to a kirk of Lord Hopeton's[sic] they have been gaping for these three months..."
3. SRA, Campbell of Succoth, TD219/6/11, Ilay Campbell, Lord President to James Ferrier, London, 13 March 1796: "It often happens that com^{ns} stick for want of payment of the fees, & sometimes they are sent down to Scotland without the Treasury warrant, which occasions their being sent back again at a double expense".
4. Nelson, op.cit., pp. 69-71.
5. Nelson, op.cit., p. 67. Portland was not above making copies of some of his own out-letters. As a series they complement and supplement the official record. They now form part of the Portland family papers at Nottingham University Library.
6. Nelson, op.cit., p.26.
7. Some politicians would also do this. Montrose apologised to Portland for disturbing him about a church presentation. He had written to John King but had received no reply: SRO, Home Office Correspondence (Scotland), RH2/4/86, ff. 241-2, Montrose to Portland, 27 October 1800.
8. SRO, Home Office Correspondence (Scotland), RH2/4/92, ff. 17-18, Memorandum concerning church patronage of Killearnan [January 1807].
9. See e.g: HMC Fortescue, I, p. 568, Dundas to W.W. Grenville, 27 March 1790; SRO, Home Office Correspondence (Scotland), RH2/4/90, ff. 272-3, Sir Charles Ross MP, to John King, 26 November [1805].
10. Nelson, op.cit., p.47.
11. SRO, Home of Wedderburn, GD267/3/15/33, George Home to Patrick Home MP, 24 May 1788.
12. SRO, Home Office Outletter books (Scotland), RH2/4/218, p.42, Thomas Townshend to Earl of Leven and Melville, 28 February 1783 (copy); EUL, Laing Mss, Div. II, 461, Dundas to Lord Napier, 15 February 1802, intimating his support for Napier's pretensions to the post.
13. See e.g: SRO, Home Office Correspondence (Scotland), RH2/4/79, ff. 72-3, Earl of Leven and Melville to [?John King], 29 March 1796; ibid., ff. 175-6, 183-6, letters of same to Portland, 21-31 May 1796.

14. See e.g: SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 84-5, Rev. John Adamson to Portland, 24 May 1797.
15. SRO, Home Office Correspondence (Scotland), RH2/4/89, ff. 107-8, David Rae, Lord Eskgrove to Lord Hawkesbury, 25 May 1804.
16. SRO, Home Office Outletter books (Scotland), RH2/4/218, pp. 47-50, letters of Sydney to Justice Clerk Miller, 16 and 23 July 1784 (copies).
17. Meikle, op.cit, p. 32, quoting Home Office Correspondence (Scotland). Miller was also given to sending Sydney lengthy epistles about lesser legal offices in Scotland; Whetstone, op.cit, pp. 7-8.
18. SRO, Home Office Correspondence (Scotland), RH2/4/83, ff. 178-9, Robert Dundas, Lord Advocate to Portland, 27 April 1798.
19. E.g: SRO, Home Office Outletter books (Scotland), RH2/4/223, pp. 423-4, Lord Hawkesbury to Charles Hope, Lord Advocate, 8 August 1804 (copy).
20. SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 24-5, Robert Dundas, Lord Advocate to Portland, 15 February 1797.
21. SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 67-8, Robert Dundas, Lord Advocate to John King, 9 May 1797.
22. E.g: SRO, Home Office Correspondence (Scotland), RH2/4/86, ff. 257-8, 270-1, letters of Robert Dundas, Lord Advocate to Portland, 3 and 15 November 1800. There are many other examples.
23. SRO, Home Office Correspondence (Scotland), RH2/4/84, ff. 330-1, Portland to Robert Dundas, Lord Advocate, 8 June 1798 (copy).
24. There are numerous examples of this. SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 116-7, Robert Dundas, Lord Advocate to John King, 26 June 1797, concerns the surveillance of the Scottish movements of Jameson of the London Corresponding Society. The observation of suspicious characters was a regular duty for Lord Advocates. See also, SRO Home Office Outletter books (Scotland), RH2/4/222, pp. 149-50, Lord Pelham to Charles Hope, Lord Advocate, 22 September 1801 (copy).
25. SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 130-1, Robert Dundas, Lord Advocate to John King, 14 July 1797.
26. A. Aspinall (ed.), The Later Correspondence of George III (Cambridge, 1968), IV, p. 452, quoting from letter of Charles Hope, Lord Justice Clerk to Lord Spencer, 7 March 1806.
27. Pitt papers, PRO30/8/157, ff. 144-53, Dundas to Pitt, 12 November 1792.

28. E.g: SRO, Home Office Correspondence (Scotland), RH2/4/79, ff. 3-4, letter by sixteen Scots sheriffs to Portland, 22 January 1796, concerning measures needed to ameliorate the grain shortage.
29. NUL, Portland, PwF 8226, Buccleuch to Portland, 4 December 1794.
30. SRO, Home Office Correspondence (Scotland), RH2/4/79, ff. 53-6, Montrose to Portland, 20 March 1796.
31. SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 136-7, Sir James Grant of Grant to Portland, 2 August 1797.
32. SRO, Home Office Outletter books (Scotland), RH2/4/222, pp. 154-5, Pelham to Kinnoull, 25 November 1801 (copy).
33. The Advocate as much as said this, writing of the advice he was sending to certain lieutenants with whom he was acquainted "and with whom I am in the habit of corresponding". SRO, Home Office Correspondence (Scotland), RH2/4/81, ff. 61-4, Robert Dundas to Portland, 6 September 1797.
34. EUL, Laing Mss, Div. II, 500, Duke of Roxburghe to Robert Dundas, Lord Advocate, 2 March 1798.
35. Whetstone, op.cit, p. 99.
36. SRO, Home Office Outletter books (Scotland), RH2/4/223, p. 436, Hawkesbury to Lord Keith, 7 September 1804 (copy).
37. SRO, Home Office Correspondence (Scotland), RH2/4/216, ff. 433-6, Melville to [Pelham], 13 July 1803.
38. SRO, Home Office Correspondence (Scotland), RH2/4/86, ff. 274-5, Eglinton to Robert Dundas, Lord Advocate, ?13 November 1800.
39. E.g: SRO, Home Office Correspondence (Scotland), RH2/4/80, ff. 64-5, 77-8 and 82-3, letters of James Brodie of Brodie, Sir Charles Ross and R.B. Aeneas Macleod sending loyal addresses from Elgin, Ross-shire and Cromartyshire, 9-22 May 1797.
40. Nelson, op.cit., pp. 16-17, 24-5; Ehrman, Younger Pitt, I, pp. 184-5.
41. Pitt papers, PRO 30/8/181, ff. 257-63, Sydney to Pitt, 24 September 1788.
42. See e.g: BL, Grenville, Add Mss 58914, f. 27, Dundas to Grenville, 11 July [1789]; ibid, f. 113, Robert Hepburn to Grenville, 6 July 1790.
43. I have made much use of Whetstone, op.cit, pp. 27-60, for this section.

44. For this, see: SRO, Home of Wedderburn, GD267/20/23/47, George Home to Patrick Home, MP, 30 November 1795; SRO, Home Office Correspondence (Scotland), RH2/4/212, ff. 208-10, "Answer to the charge of M^r Lawrie, against the Office" [Post, 9 June 1796]; ibid, RH2/4/89, ff. 134-5, Charles Hope, Lord Advocate to Lord Hawkesbury, 4 August 1804. There was no strict qualification for appointment to be a JP.
45. The business was complicated because the Duke of Gordon and others argued that Fife's friends were not suitable for the office. The dispute was real enough, however. SRO, Home Office Correspondence (Scotland), RH2/4/89, ff. 124-5, Fife to Hawkesbury, 25 July 1804; ibid, ff. 126-7, same to Charles Yorke, 13 April 1804; ibid, ff. 128-9, "Memorial of the Earl of Fife..." (from which the quotation is taken); ibid, RH2/4/90, ff. 197-8, Observations by James Ferguson MP, on Fife's memorial [post 13 April 1804]; ibid, ff. 199-200, Fife's remarks on Ferguson's observations [post 13 April 1804].
46. For a typical nomination, see SRO, Home Office Correspondence (Scotland), RH2/4/212, ff. 218-9, H. Montgomerie MP, to Portland, 10 September 1796.
47. SRO, Home Office Correspondence (Scotland), RH2/4/90, ff. 270-1, Sir Charles Ross to Hawkesbury, 13 November 1805; SRO, Melville, GD51/5/435/3, Melville to Robert Dundas, Chief Baron, 7 June 1807.
48. Whetstone, op.cit, pp. 44-8; BL, Vansittart, Add Mss 31229, ff. 21-4, Henry Mackenzie to N. Vansittart, 8 October 1801, discusses the weak state of the JP courts in Scotland.
49. EUL, Laing Mss, Div. II, 500, William MacFarlane to Robert Dundas, Lord Advocate, 9 January 1795, discusses his work as an active JP.
50. EUL Laing Mss, Div. II, 500, James Newbigging to Robert Dundas, Lord Advocate, 23 March 1793.
51. EUL, Laing Mss, Div. II, 500, William MacFarlane to Robert Dundas, Lord Advocate, 12 March 1796.
52. Above, chapter four, and Whetstone, op.cit, p. 133. In 1783, an Aberdeenshire JP was dismissed for colluding with smugglers: SRO, Home Office Outletter books, RH2/4/218, p. 44, Lord North to Henry Erskine, Lord Advocate, 2 November 1783 (copy).
53. EUL, Laing Mss, Div. II, 500, Robert Hay of Drumelzier to [Robert Dundas, Lord Advocate], 13 February 1796; Whetstone op.cit, pp. 29-30.
54. Whetstone, op.cit, p. 39.
55. R.H. Scott, *Politics and Administration*, p. 235.

56. SRO, Melville, GD51/5/668, George Buchan Hepburn, Baron of Exchequer to Melville, 15 April 1808. Cockburn, Memorials, op.cit, pp. 96-8 relates a tale of the Edinburgh Town Clerk misusing his powers.
57. They are listed in NLS, Melville, Ms 1057, ff. 81-2, Memorandum concerning the remuneration of the Commissary of Dunkeld, 7 October 1788. This lists twenty two local courts, Sutherland and Caithness having been separated in 1787. Details of the appointments can be found in SRO, Privy Seal, PS 3.
58. Stair Society, Introduction to Scottish Legal History, pp. 363-72.
59. BL, Grenville, Add Mss, 59259, ff. 198-207, "Sketches of the Scottish Bar" [26 December 1806], entry nos. 3, 10, 40 and 53. For Gordon, see also SRO, Home Office Correspondence (Scotland), RH2/4/90, ff. 217-8, Robert S. Dundas to John King, 26 March 1805.
60. SRO, Melville, GD51/1/198/10/42, Robert Graham of Fintry to Robert Dundas, Lord Advocate, 10 July 1795; Stark's appointment involved the damaging of Breadalbane's friends who had applied for another man: NUL, Portland, PwF 2513, Breadalbane to Portland, 27 July 1795.
61. SRA, Campbell of Succoth, TD219/6/9, Ilay Campbell, Lord President to McDowall [n.d. c. April 1795] (draft); ibid, TD219/6/471, Robert Dundas, Lord Advocate to Ilay Campbell, Lord President, [n.d. c. April 1795].
62. See e.g: SRO, Home of Wedderburn, GD267/1/10/37, George Home to Patrick Home, MP, 7 April 1785; SRO, Melville, GD51/6/1111, Alexander Brodie MP to Dundas, 9 September 1795.
63. NLS, Melville, Ms 1057, ff. 81-2, Memorandum concerning the remuneration of the Commissary of Dunkeld, 7 October 1788.
64. SRA, Campbell of Succoth, TD219/6/258, Ben Barton to Ilay Campbell, Lord President, 27 April 1795.
65. SRA, Campbell of Succoth, TD219/6/311, Robert Dundas, Lord Advocate to Ilay Campbell, Lord President, 15 April 1801; SRO, Home Office Correspondence, (Scotland), RH2/4/215, ff. 385-6, Charles Hope, Lord Advocate to [?], 25 April 1803.
66. I have made much use of Whetstone, op.cit, pp. 1-26 for what follows: in 1806, Sutherland was erected into a separate sheriffdom and Kinross and Clackmannan were linked to form a new sheriffdom, bringing the total to thirty. I have used the shorthand 'Sheriff' for 'Sheriff Depute'. There were no Sheriffs Principal until 1794 when that title became part of the Lord Lieutenants' dignity: see EUL, Laing Mss, Div. II, 500, Robert Dundas, Lord Advocate to [Henry Dundas], 25 February 1794.

67. SRO, Professor Hannay's papers, GD214/650/3, "Memorial Explanatory of the King's Revenue in Scotland", 1782.
68. NLS, Melville, Ms 353, ff. 140-5, "Memorial for the Sheriffs Depute of Scotland", 1786.
69. NLS, Melville, Ms 1, ff. 23-6, letters of Sheriff Donald MacLeod of Ross and Cromarty, to Dundas, 18 and 23 June 1790. For MacLeod's politics, see Ginter, op.cit, pp. 115-121, F.H. MacKenzie to William Adam, 10 November 1789.
70. NLS, Melville, Ms 353, ff. 140-5, "Memorial for the Sheriffs Depute of Scotland", 1786.
71. BL, Liverpool, Add Mss 38377, ff. 184-8, Charles Hope, Lord Advocate to William Dundas, 4 July 1804 (copy). Dundas's sentiments were the same: SRO, Home of Wedderburn, GD267/1/12/6, [Patrick Home MP] to [?George Home], 17 March 1787 (copy).
72. SRA, Campbell of Succoth, TD219/6/152, Dundas to Ilay Campbell, Lord Advocate, 17 June [?1789].
73. For the Selkirkshire appointment, see bundle of correspondence at SRO, Buccleuch, GD224/663/6.
74. NLS, Melville, Ms 5, ff. 77-8, Duke of Gordon to Dundas, 1 December 1795.
75. BL, Grenville, Add Mss 59259, ff. 198-207, "Sketches of the Scottish Bar" [26 December 1806] entry no. 43. I do not agree with the interpretation of this appointment given in Whetstone, op.cit, p.8.
76. Whetstone, op.cit, pp. 6-7.
77. SRO, Melville, GD51/6/1393, Ilay Campbell, Lord President to Dundas, 11 January 1800.
78. See SRO, Melville, GD51/6/901, John Bushby to [Dundas], 23 July 1791, for a claim openly founded on electoral influence. Dundas's reply can be inferred: ibid, GD51/6/1025, same to [same], 29 November 1794, "I do most heartily subscribe to the rules you lay down, so far as to prevent judicial offices from being entirely disposed of by political or parliamentary interest...". Bushby was not entirely taken with the concept!
79. NLS, Melville, MS 59, pp. 146-7, Robert S. Dundas to Spencer Perceval, 17 December 1808, (copy), sets out Melville's views on the appointment of local men to sheriffships. Views on the possibility of local political pressures are also discussed.
80. NUL, Portland, PwV 110, p. 282, Portland to Duke of Hamilton, 26 January 1797 (copy); ibid, PwV 111, unpaginated, same to Robert Dundas, Lord Advocate, 1 December 1799 (copy).

81. See SRO, Buccleuch, GD 224/663/6/17, Adam Ogilvie to Buccleuch, 2 December 1799. Ogilvie discusses the Advocate's objection to Buccleuch's candidate for the Selkirkshire Sheriffship, who was not in practice. "The Advocate's objection is a novel one, and was first thought of & much propagated in the Parliament House, when Mr Dundas first came to the head of the Faculty". Ogilvie pointed to several departures from the rule.
82. SRO, Melville, GD51/6/1126, Lord Aberdeen to Dundas, 29 November 1795; NLS, Melville, Ms 5, ff. 75-6, Gordon to same, 30 November 1795.
83. See EUL, Laing Mss, Div. II, 500, Memorial for William Campbell, Advocate, to Robert Dundas, Lord Advocate [30 May 1793]. Campbell too was passed over for want of being a practitioner.
84. There is a considerable bulk of material on Orr. EUL, Laing Mss, Add. 3, contains a booklet of copy letters by Orr and others, 1785-1796, concerning his claims for a sheriffship. See also NUL, Portland, PwV 110, pp. 263-4, Portland to Duke of Hamilton, 13 January 1797 (copy) and SRA, Campbell of Succoth, TD219/6/263, Dundas to Ilay Campbell, Lord President, 23 May 1795.
85. For the hereditary sheriffs, see R.H.Scott, *Politics and Administration*, pp. 228-9.
86. SRO, Home of Wedderburn, GD267/1/16/10-11, George Home to Patrick Home MP, 3 December 1792.
87. Whetstone, *op.cit*, p. 7, discusses this case. See also, SRO, Melville, GD51/5/404/1, Robert Dundas, Lord Advocate to Henry Dundas, 10 July 1791. His father seems to have been conscientious enough in the post: NLS, Melville, Ms 4, ff. 34-5, David Armstrong to Henry Dundas, Lord Advocate, 1 February 1783.
88. SRO, Home of Wedderburn, GD267/1/10/1, George Home to Patrick Home, MP, 22 January 1785; SRA, Campbell of Succoth, TD219/6/159, James Montgomery, Lord Chief Baron to Ilay Campbell, 17 September 1789.
89. NLS, Melville, Ms 5, ff. 75-6, Duke of Gordon to Dundas, 30 November 1795 (Aberdeenshire); SRO, Melville, GD51/5/454/2, George Home to George Baillie MP, 21 March 1809 (Berwickshire); SRO, Bonar, Mackenzie and Kermack, GD235/16/3/35, Earl of Hopetoun to Melville, 20 July 1808 (West Lothian). Midlothian was the sole sheriffdom where the Depute had to exercise his duty in person and forego his career as an advocate: NLS, Melville, Ms 59, pp. 164-7, Robert S. Dundas to Earl of Liverpool, 10 March 1809 (copy).
90. SRO, Melville, GD51/5/471/2, "Memorandum about Sheriff Substitutes" by Lord Advocate James Colquhoun, 18 October 1810.
91. For the substitutes, see Whetstone, *op.cit*, pp. 9-11.

92. BL, Grenville, Add Mss, 59260, ff. 112-113, "A Scotchman" to Grenville, 19 February 1807.
93. SRA, Campbell of Succoth, TD219/56/2, George Dempster of Dunnichen to Sir Ilay Campbell, 25 April 1809.
94. The substitutes were actually paid by government from 1787: Whetstone, op.cit, p. 11. See also material at note 90 above. For complaints of poor pay, see SRO, Melville, GD51/5/409, Robert Graeme, Substitute, Lanark to Dundas, 24 March 1795; ibid, GD51/5/472/2, Harry Davidson, Substitute, Midlothian, to William Rae, Sheriff Depute, 12 December 1810.
95. SRO, Melville, GD51/5/457, Hugh Warrender, Deputy Keeper of the Signet to George Harrison, Treasury, 13 May 1809 (copy).
96. NLS, Melville, Ms 12, ff. 57-9, Ilay Campbell, Lord President, Charles Hope, Lord Justice Clerk and Sir James Montgomery, Lord Advocate, to Lord Hawkesbury, 15 October 1805 (copy), details the main points about Court of Session business. A little more detail can be seen in James Boswell, A Letter to the People of Scotland, On The Alarming Attempt To Infringe The Articles Of The Union... (London, 1785), pp. 4-5, 33-35. The quotations used are from the former document.
97. SRA, Campbell of Succoth, TD219/56/1, "Supplement to the Report concerning the Court of Session in Scotland" [to the Select Committee on Finance, July 1799], has a note on the Teind Court. See also NLS, Melville, Ms 12, ff. 157-68, "Observations on the subject of the proposed Bill relative to the Commission of Teinds in Scotland", 1807.
98. It was held by Lord Stormont (later Earl of Mansfield) until 1795, thereafter by the Duke of Montrose.
99. J. Boswell, op.cit, p. 14; "The Lord Advocate of Scotland has the whole power of a grand jury in his person". Meikle, op.cit, p. 132.
100. W. Ferguson, Scotland 1689 to the Present, p. 164. The Court "was arbitrary in its procedures and sometimes savage in its punishments".
101. SRO, Melville, GD51/5/465/2, Charles Hope Lord Justice Clerk to Robert S. Dundas, 30 January 1810 (copy).
102. NLS, Melville, Ms 12, ff. 66-9, David Robertson to Melville, 7 April 1807.
103. N.T. Phillipson, The Scottish Whigs and the Reform of the Court of Session 1785-1830 (Ph.D. thesis, Cambridge, 1967), p. 172.
104. Cockburn, Memorials, p. 137. And Fergusson was considered to be a good lawyer!
105. Ramsay, op.cit, I, p. 341; Boswell, op.cit, pp. 48-50.

106. SRO, Melville, GD51/6/806/1, Lord Gardenstone to Dundas, 29 January 1787; EUL, Laing Mss, Div. II, 500, Lord Eskgrove to [? Robert Dundas, Lord Advocate], 5 July 1793.
107. Ferguson, Electoral System, p. 279.
108. The opposition in Scotland were convinced of it; Sunter, Patronage and Politics, p. 110. The friends of government were less sure, attributing it to the quirkiness of the judges: SRO, Home of Wedderburn, GD267/1/16/2, George Home to Patrick Home MP, 12 February 1791; NLS, Melville, Ms 6, ff. 14-15, Sir James Bruce of Kinnaird to Dundas, 12 February 1791. Either way, it caused controversy.
109. BL, Grenville, Add Mss 59259, ff. 180-1, A Graham Stirling to Grenville, 22 December 1806.
110. BL, Pelham, Add Mss 33109, ff. 7-10, Colonel William Fullarton to Pelham, [ante, 3 January 1802].
111. For the narrow constituency from which the Court was picked see N.T. Phillipson, 'The Social Structure of the Faculty of Advocates in Scotland 1661-1840' in A. Harding, (ed.), Law-Making and Law-Makers in British History (Royal Historical Society, London, 1980). A view of the Court can be gauged from George Home's report of the bar's opinion of Lord Abercromby: "Give us a few such judges as that and the Court will yet be respectable". SRO, Home of Wedderburn, GD267/1/16/10-11, George Home to Patrick Home MP, 3 December 1792.
112. Pitt papers, PRO 30/8/146, ff. 86-9, Charles Hope, Lord Justice Clerk to [?Pitt], 11 October 1805.
113. SRO, Melville, GD51/5/364/17/55-6, "Memorandum offered to the Right Honble Robert Dundas on behalf of the Commissioners of the Customs in Scotland" [1810]; ibid, GD51/5/415/3, Memorial of the judges stating their claim to exemption from taxes, 2 December 1797.
114. Boswell, op.cit, pp. 40-6, denied this contention, warning in any case that higher salaries would attract place-hunters to the bench. The truth of the matter was set out by Robert Dundas to Portland: "But the misfortune is, that those high in their profession will not accept, & we have been drove to the necessity of placing on the bench men indeed of integrity & honour, but not of such extensive practice, or such profound legal knowledge, as ought always to be the case with some[sic] of the members of that court". SRO, Melville, GD51/5/427/3, Robert Dundas, Lord Advocate, to Portland, 31 May 1799 (original).
115. There are many references to Blair's refusing a gown. See SRO, Dundas of Arniston, RH4/15/6, letterbook 8, no. 5, Robert Blair to Robert Dundas, Lord Advocate, 6 April 1801; NUL, Portland, PwF 3499, same to [Dundas], 21 December 1795.

116. For Fergusson, see PRO, Home Office Correspondence (England), HO42/26, f. 557, George Fergusson to Dundas, 16 September 1793. For Rolland's refusal of a gown see BL, Grenville, Add Mss 59260, ff. 198-207, "Sketches of the Scottish Bar" [26 December 1806], entry no. 2. For Wight, see SRA, Campbell of Succoth, TD219/6/199, Dundas to Ilay Campbell, Lord President, 11 April 1790.
117. Ann Arbor, Melville papers, letters of John MacLaurin to Dundas, 29 April and 17 May 1784 and 18 April 1785; Ramsay, op.cit., I, pp. 447-8; SRO, Home of Wedderburn, GD267/1/4/39 and 48, letters of George Home to Patrick Home MP, 25 December 1787 and 8 January 1788.
118. SRA, Campbell of Succoth, TD219/6/219(1), Chancellor Thurlow to Ilay Campbell, Lord President [n.d. but ?early 1792].
119. SRO, Home Office Correspondence (Scotland), RH2/4/66, ff. 190-3, Ilay Campbell, Lord President to Dundas, 3 December 1792.
120. NLS, Melville, Ms 9, ff. 66-7, Robert Dundas, Chief Baron to Robert S. Dundas, 27 July 1808, writing of a law promotion: "If you except the violent opposition lawyers, who neither ought to be named, nor would accept at present...".
121. A. Fergusson, Henry Erskine, p. 509, quotes William Adam writing of the Scots bar in 1811 "the talent is all in our quarter".
122. BL, Grenville, Add Mss 59259, ff. 124-31, William Howison to Grenville, 10 October 1806.
123. NLS, Melville, Ms 12, ff. 135-6, notes for a speech by Melville [n.d. but ? March 1807].
124. For the offices around the Court of Session from the level of Principal Clerk and below, see SRA, Campbell of Succoth, TD219/56/1, "Supplement to the Report concerning the Court of Session in Scotland" [to the Select Committee on Finance, July 1799]. This details the emoluments and patronage of each post.
125. SRO, Melville, GD51/6/784, Charles Gordon to Dundas, 19 February 1784.
126. SRO, Melville, GD51/6/957/7, Robert Dundas, Lord Advocate to Henry Dundas, 14 December 1793.
127. BL, Pelham, Add Mss 33111, ff. 60-1, Duke of Portland to Lord Pelham, 22 March 1803.
128. For the Independent Friends, see above, chapter two. For Elliock, see Adam, Political State, p. 98.
129. Pitt papers, PRO30/8/146, ff. 86-9, Charles Hope, Lord Justice Clerk to [Pitt], 11 October 1805.

130. A. Fergusson, Henry Erskine, p. 252; Namier and Brooke, HP, I, p. 475.
131. Ramsay, op.cit, I, pp. 372, 379-80.
132. Boswell, op.cit, p. 43; Ann Arbor, Melville papers, John MacLaurin to Dundas, 29 April 1784; SRO, Home of Wedderburn, GD267/1/4/39, George Home to Patrick Home MP, 25 December 1787.
133. For Robert Dundas's later comment on the appointment, see SRA, Campbell of Succoth, TD219/56/1, Robert Dundas, Chief Baron to William Dundas, 11 October 1805 (copy).
134. Adam, Political State, p. 262; SRO, Melville, GD51/5/432, Dunsinnan to Melville, 10 March 1806.
135. SRO, Home of Wedderburn, GD267/1/4/36-7, George Home to Patrick Home MP, 23 December 1787.
136. SRO, Home of Wedderburn, GD267/23/6/19-20, 21, letters of Dundas to George Home, 15 and 22 December 1787.
137. SRO, Home of Wedderburn, GD267/1/4/44, George Home to Patrick Home MP, 28 December 1787. See also ibid, GD267/1/4/36-7, same to same, 23 December 1787: "Their indifference as to the [office of] President, does not arise, as you may well beleive [sic], from their being insensible to the importance of the office, but from a conviction that none of those to whom it can be given, are fitt [sic] for the station".
138. Ann Arbor, Melville papers, Henry Dundas, Lord Advocate to Lord Mansfield 22 July 1776 (copy), shows Dundas's friendship for Braxfield.
139. SRO, Home of Wedderburn, GD267/1/4/34, George Home to Patrick Home MP, 17 December 1787.
140. SRO, Home of Wedderburn, GD267/23/6/19-20, Dundas to George Home, 22 December 1787.
141. For a critical description of Braxfield, highlighting his virtues and his failings, see Ramsay, op.cit, I, pp. 382-6, 388-93.
142. SRO, Melville, GD51/6/1123, Ilay Campbell, Lord President to [Dundas], 23 November 1795.
143. Above, chapter two.
144. HMC, Fortescue, I, p. 524, Dundas to W.W. Grenville, 29 September 1789; SRA, Campbell of Succoth, TD219/6/164, Dundas to Ilay Campbell, Lord Advocate, 29 September [1789].
145. SRA, Campbell of Succoth, TD219/6/169, Thurlow to Ilay Campbell, Lord Advocate, 9 October 1789.

146. SRA, Campbell of Succoth, TD219/6/187, William McDowall of Garthland to Ilay Campbell, Lord President, 27 November 1789. Cockburn, Memorials, pp. 125-30, has a friendly character of him.
147. SRA, Campbell of Succoth, TD219/6/470, Dundas to Ilay Campbell, Lord President, 9 April 1792.
148. SRO, Home of Wedderburn, GD267/1/16/10-11, George Home to Patrick Home MP, 3 December 1792.
149. SRO, Home Office Outletter books (Scotland), RH2/4/218, pp. 109-111, Dundas to Ilay Campbell, Lord President, 30 November 1792 (copy).
150. SRO, Home Office Correspondence (Scotland), RH2/4/66, ff. 190-3, Ilay Campbell, Lord President to Dundas, 3 December 1792.
151. SRO, Home of Wedderburn, GD267/1/6/2-3, George Home to Patrick Home MP, 6 January 1792 [rectius 1793]; NUL, Portland, PwF 3498, Dundas to Portland, 25 December 1795.
152. SRO, Home Office Outletter books (Scotland), RH2/4/218, p. 111, Dundas to Ilay Campbell, Lord President, 15 December 1792 (copy); BL, Grenville, Add Mss 59259, ff. 136-9, William, Lord Craig to Grenville, 3 November 1806.
153. SRA, Campbell of Succoth, TD219/6/222, Dundas to Ilay Campbell, Lord President, 31 August 1793.
154. Boswell, op.cit., pp. 62-3. Fewer judges, Boswell felt, would be easier to manage. This, therefore, was the secret aim of Dundas's proposed reform of the Court.
155. SRO, Melville, GD51/5/400/2, Dundas to Boswell [post 9 November 1786] (draft).
156. SRO, Home of Wedderburn, GD267/3/15/4-5, George Home to Patrick Home MP, 3 February 1788: "[Buchan Hepburn] has or is supposed to have considerable influence in East Lothian and wanted to use it so as to secure the next judge[']s gown, Mr Dundas Cutt [sic] him short by telling him that he would not allow politicks [sic] and the nomination of the judges to be mentioned at the same time"[.]
157. EUL, Laing Mss, Div. II, 500, Lord Cullen to Robert Dundas, Lord Advocate, 6 May 1799.
158. SRA, Campbell of Succoth, TD219/6/262, Portland to Ilay Campbell, Lord President, 13 May 1795.
159. Craig's appointment gives an insight into the decision-making process. In theory the decision was the King's, although in practice he made it on advice from his ministers. Formalities had to be observed, however, and the King was bemused when a

159. completed warrant in Craig's name was inadvertently sent contd for his signature before he had even been consulted. A. Aspinall, The Later Correspondence of George III (Cambridge, 1968), II, pp. 326-7, letters of Portland and King, 2-3 April 1795; NUL, Portland, PwV 109, pp. 56-7, Portland to King, 3 April 1795 (copy).
160. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 104, Lord Loughborough to Robert Dundas, Lord Advocate, 9 January 1796; NUL, Portland, PwF 1425, Robert Blair to Portland, 21 December 1795.
161. NUL, Portland, PwV 110, pp. 40-5, Portland to Robert Dundas, Lord Advocate, 7 February 1796 (copy).
162. SRO, Melville, GD51/6/1142, Robert Dundas, Lord Advocate to Henry Dundas, 6 February 1796.
163. NUL, Portland, PwV 110, p. 61, Portland to Robert Dundas, Lord Advocate, 23 February 1796 (copy); ibid, p. 64, same to same, 28 February 1796 (copy).
164. NUL, Portland PwV 110, pp. 56-7, Portland to Robert Cullen, 23 February 1796 (copy).
165. NUL, Portland, PwV 110, pp. 136-7, Portland to Robert Dundas, Lord Advocate, 28 May 1796; Francis Bickley (ed.), The Diaries of Sylvester Douglas, Lord Glenbervie (2 vols., London, 1928), I, p. 81, entry for 13 October 1796.
166. SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 118, Portland to Robert Dundas, Lord Advocate, 14 January 1797.
167. For his Orkney politics, see NLS, Melville, Ms 1059, ff. 254-5, William Honyman to [Dundas], 27 December 1788. For his subsequent disagreement with Dundas, see SRO, Melville, GD51/9/237, Lord Armadale to Melville, 9 February 1803.
168. SRA, Campbell of Succoth, TD219/6/339(2), William Lockhart, Baronald to his brother Walter Lockhart, 19 October 1802; SRO, Hope of Luffness, GD364/1/1156/9-11, Hopetoun to Brigadier General Alexander Hope, 5 March 1805.
169. SRO, Melville, GD51/1/198/12/14, Robert Dundas, Chief Baron to [?Melville], 22 June 1806.
170. SRO, Melville, GD51/5/427/2, Robert Dundas, Lord Advocate to Chancellor Loughborough, 31 May 1799 (original), in which Dundas alludes to Portland's preference for Cullen.
171. SRO, Dundas of Arniston, RH4/15/5, letter book 7, no. 117, [?Robert Dundas, Lord Advocate] to [?Portland] [n.d, but post 18 November 1796] (copy).
172. SRA, Campbell of Succoth, TD219/65/4, Robert Dundas, Lord Advocate to Ilay Campbell, Lord President, 3 April 1799. The Advocate had recommended Bannatyne but this was not really his private predilection.

173. SRO, Home of Wedderburn, GD267/20/23/77, George Home to Patrick Home, 9 July 1799.
174. NUL, Portland, PwV 111, unpaginated, Portland to Robert Dundas, Lord Advocate, 18 January 1799 (copy); SRO, Dundas of Arniston, RH4/15/5, letterbook 7, no. 125, Robert Blair, Solicitor General to Henry Dundas, 20 January 1799 (copy); ibid, no. 126, Henry Dundas to Robert Dundas, Lord Advocate, 29 January 1799; SRA, Campbell of Succoth, TD219/65/4, Robert Dundas, Lord Advocate to Ilay Campbell, Lord President, 3 April 1799; SRO, Home Office Correspondence (Scotland), RH2/4/85, f. 70A, Robert MacQueen, Lord Justice Clerk to Robert Dundas, Lord Advocate, 7 May 1799.
175. SRO, Melville, GD51/5/427/1, 2 and 4, letters of Robert Dundas, Lord Advocate to Henry Dundas and Loughborough, 30 May - 1 June 1799; NUL, Portland, PwV 111, unpaginated, Portland to Robert Dundas, Lord Advocate, 27 June 1799 (copy).
176. This appointment is discussed in more detail in chapter six.
177. Pitt papers, PRO 30/8/146, ff. 72-83, Charles Hope, Lord Advocate to Melville, 22 May 1804.
178. SRO, Melville, GD51/5/480/2, Archibald Colquhoun, Lord Advocate to 2nd Viscount Melville, [16 June 1811], confirms this story. Cockburn, Memorials, pp. 185-6, reported the offer to Erskine as a rumour.
179. BL, Liverpool, Add Mss 38321, ff. 61-69, Lord Liverpool to William Grant, Master of the Rolls, 5 May 1809 (copy).
180. SRO, Bonar, Mackenzie and Kermack, GD235/10/2/16-21, Melville to Robert S. Dundas, 27 May 1811. In this letter Melville talks at length about the problem of geriatric judges, in particular Lords Craig and Armadale. He was worried that both were still exercising capital powers in justiciary cases.
181. SRO, Melville, GD51/5/478/7, Melville to Lord Chancellor Eldon, 13 May 1811 (copy). For Melville's opinion of politics in the Faculty see chapter two, footnote 87.
182. Phillipson, 'The Scottish Whigs and the Reform of the Court of Session', p. 224, says that there was "a change in the policy of administering legal patronage". This does not seem to me to be true, at least for the years to 1811. As ever, the Dundas party looked for the best candidate while avoiding violent opposition men. See also footnote 120, above.
183. Richard Sher and Alexander Murdoch, 'Patronage and Party in the Church of Scotland, 1750-1800', p.200, in Norman Macdougall (ed.), Church, Politics and Society: Scotland 1408-1929 (Edinburgh, 1983). This analyses the various rights of patronage in the civil parishes.
184. SRO, Melville, GD51/6/942, Robert Dundas, Lord Advocate to Robert Hepburn, 21 June 1793.

185. William Grieve MP was, as we have noted (chapter two), opposed to government prior to the outbreak of war. SRO, Melville, GD51/6/945/1, Sir James Stuart Denham MP to Dundas, 17 July 1793.
186. EUL, Laing Mss, Div. II, 500, "statement of my conduct relative to the choice of a minister for Lanark" by Lady Baillie, 16 July 1793.
187. SRO, Melville, GD51/6/945/17, Alan Lockhart of Cleghorn to Robert Dundas, Lord Advocate, 2 August 1793.
188. EUL, Laing Mss, Div. II, 500, John Bannatyne to Robert Dundas, Lord Advocate, 15 July 1793; SRO, Melville, GD51/6/945/10, Allan Lockhart of Cleghorn to [Henry Dundas], 25 July 1793.
189. SRO, Melville, GD51/6/945/18, Robert Dundas, Lord Advocate to [Henry Dundas], 13 August 1793.
190. Murdoch and Sher, op.cit., pp. 200-3.
191. SRO, Melville, GD51/6/1430, Dundas to Sir William Elliot of Stobs, 23 September 1800 (copy). In pursuance of this policy Dundas would commonly refuse the wishes of inhabitants where they conflicted with the landowners. See e.g: SRO, Home Office Correspondence (Scotland), RH2/4/215, ff. 293-6, 332-5, letters of Robert Dundas, Chief Baron to [? Mr. Pollock] and John King, 27 August and 11 December 1801, concerning the presentation to Tranent parish.
192. SRO, Home of Wedderburn, GD267/1/5/22, George Home to Patrick Home MP, 22 April 1793.
193. There are many references to the government's insistence that a candidate should have the support of the landowners in a parish. See e.g: SRO, Melville, GD51/5/640/3, William Glen, Forganhall to his brother, Alexander Glen, 23 August 1793; SRO, Home Office Correspondence (Scotland), RH2/4/81, ff. 133-4, Sir John Belsches MP to Robert Dundas, Lord Advocate, 21 August 1797; ibid, RH2/4/92, ff. 15-16, James Grant to Lord Spencer, 24 January 1807.
194. Melville explained the system to his son years later: Ann Arbor, Melville papers, Melville to Robert S. Dundas, 11 March 1811.
195. SRO, Home of Wedderburn, GD267/3/15/31, George Home to Patrick Home, MP, 21 May 1788. I find confirmation for this opinion in other discussions of church patronage by George Home: ibid, GD267/3/11/10-11, same to same, 8 July 1784; ibid, GD267/1/9/19, same to same, 3 December 1784; ibid, GD267/1/10/68, same to same, 30 May 1785.
196. See, e.g: SRO, Melville, GD51/6/1242, Sir David Carnegie MP to Dundas, 15 April 1798; ibid, GD51/6/1396, James Clerk to Dundas, 3 February 1800, and endorsement. Occasionally, however, one can find instances of principal proprietors in a parish obtaining a presentation without bothering to go through their MP; SRO, Home Office Outletter books (Scotland), RH2/4/222, p. 202, Lord Dalhousie to Sir Robert Laurie, MP, 22 February 1803 (copy).

197. See e.g: NLS, Melville, Ms 21, entry for ?24 February 1795, Mr. Henderson; NUL, Portland, PwF 4030, William Garthshore to Mr Carter, 27 August 1795; ibid, PwV 111, unpaginated, Portland to Robert Dundas, Lord Advocate, 1 December 1799 (copy); SRO, Home Office Correspondence (Scotland), RH2/4/215, ff. 255-8, Colonel William Fullarton MP, to Portland, 29 July 1799, and endorsement by Dundas.
198. See, e.g: SRO, Home Office Correspondence (Scotland), RH2/4/89, f. 113, Lord Hawkesbury to Earl of Galloway, 2 June 1804 (copy).
199. This happened to Sir Thomas Dundas in Stirlingshire in the 1790s. EUL, Laing Mss, Div. II, 500, Sir James Colquhoun of Luss to Robert Dundas, Lord Advocate, 19 December 1795.
200. HMC Fortescue, I, p. 568, Dundas to Grenville, 27 [March 1790], where Dundas approves of an opposition MP, Skene, nominating to Kildrummy parish. In one particular set of circumstances government would firmly block nominations by opposition MPs. This was in situations where the MP had prevailed on parishes, usually with only very few heritors in them, to press forward a friend of his own so that he could gratify his own political allies. If government could detect this, they tried to prevent it. Ann Arbor, Melville papers, Melville to Robert S. Dundas, 21 September 1807; BL, Liverpool, Add Mss 38243, ff. 56-7, Archibald Colquhoun, Lord Advocate to Lord Hawkesbury, 27 November 1808.
201. SRO, Home Office Correspondence (Scotland), RH2/4/212, ff. 349-50, David Scott MP, to [?Dundas], 1 February 1798: "...the crossing the wish of the inhabitants in the appointment of one of these petty kirks to my experience has more effect upon the minds of the people, great, & small, than any other matter though of ten times the consequence".
202. Logue, op.cit, pp. 168-76.
203. See, e.g: SRO, Melville, GD51/1/198/28/1, "Arrangement of Politicks [sic] for the Shire of Wigton..." 27 December 1789 (copy), in which the signatories agreed that if Andrew Mcdouall was returned as MP, he would apportion the nominations to several parish presentations among them. In terms of the relative property valuations held by each man in the respective parishes the arrangement would have fallen within the rules later adopted for allocating Crown patronage. It was still sordid. Probably a lot more of this went on where the patronages were in private hands.
204. Pitt papers, PRO 30/8/157, ff. 144-53, Dundas to Pitt, 22 November 1792: "... if I was to name what circumstance was of the most essential importance to the peace of the country, I would name the influence of the clergy over their people properly exercised".
205. EUL, Laing Mss, Div. II, 500, Rev. Dr. James Finlayson to Robert Dundas, Lord Advocate, 25 May 1799.

206. EUL, Laing Mss, Div. II, 500, Rev. Robert Knox, Larbert to Dr Robert Moodie, 2 May 1799.
207. EUL, Laing Mss, Div. II, 500, Montrose to Dundas, 19 August 1798. See also SRO, Home Office Correspondence (Scotland), RH2/4/212, ff. 324-5, M. Riddell, Mount Riddell, to [?Lord Keith], 10 December 1797, in which the desirability of bending to the popular will in a church presentation is pointed out.
208. For the outset of the Moderate Party, see Richard B. Sher, Church and University in the Scottish Enlightenment (Edinburgh, 1985), chapter two.
209. Somerville was a prominent Moderate but was not sound enough in his politics for Hill's taste. See EUL, Laing Mss, Div. II, 500, Hill to Robert Dundas, Lord Advocate, 14 March 1791; SAUL, Melville papers, Ms 4784, same to [?same], 8 June 1799.
210. SRO, Melville, GD51/5/663/1, Rev. Dr. James Finlayson to Melville, 21 November 1807.
211. NLS, Melville, Ms 1057, ff. 26-32, Dr. Henry Grieve to Earl of Spencer, 29 January 1807 (copy).
212. Ferguson, Scotland, 1689 to the Present, pp. 226-7:
"Their sermons were polished essays enjoining good works, kind thoughts, and social order. Hell fire had gone, but with it too had gone the saving mysteries of the Christian faith".
213. As footnote 211.
214. NLS, Melville, Ms 352, ff. 48-9, Rev. Dr. Thomas Davidson to Robert S. Dundas, 29 July 1808: "Tho['] we should be ever so much neglected[,] calumniated and despised, we must still be loyal, the lovers of our country, and the supporters of government, as far as it may be fairly in our power; because we consider it to be our indispensable duty as Christians".
215. Dr Andrew Hunter, for instance, one of the leading Evangelicals, was brother-in-law to the 7th Lord Napier, sometime King's Commissioner to the Assembly. Fergusson, Henry Erskine, p. 314, comments on the apparent lack of distinction between the two ecclesiastical parties.
216. Murdoch and Sher, op.cit, p. 203.
217. Ian D. Clark, 'From Protest to Reaction: The Moderate Regime in the Church of Scotland, 1752-1805', pp. 213-4, in N.T. Phillipson and R. Mitchison (eds.), Scotland in the Age of Improvement (Edinburgh, 1970).
218. In 1799 they were in the minority in the Stirling Presbytery: EUL, Laing Mss, Div. II, 500, Rev. Dr. Robert Moodie to Rev. Dr. James Finlayson, 16 May 1799. In 1807, their grip on the Dundee Presbytery was weak: SRO, Melville, GD51/9/275, George Paterson of Casltehuntly to [Melville], 19 September 1807.

219. For an explanation of the representation of various groups at the Assembly and the way in which the Moderates could make it work for them, see Sher, op.cit, pp. 124-130.
220. EUL, Laing Mss, Div. II, 500, Rev Dr James Finlayson to Robert Dundas, Lord Advocate, 12 July 1797.
221. SAUL, Melville papers, Ms 4818, Principal George Hill to Melville, 23 January 1807.
222. NLS, Melville, Ms 352, ff. 103-4, Robert Dundas, Chief Baron to Robert S. Dundas, 21 October [1810]: "... the justice & solidity of my hereditary attachment to the Moderate Interest of the Church of Scotland ... such men ... are you may depend on it[,] the only persons on whom reliance can be placed, & that no wise minister will long trust the others".
223. Ann Arbor, Melville papers, Melville to Robert S. Dundas, 11 March 1811. This is a reply to a letter of 6 March 1811: NLS, Melville, Ms 352, ff. 126-31.
224. SRO, Melville, GD51/6/1253, Anonymous to Dundas [23 May 1798]; ibid, GD51/5/652, William Cowbrough to Dundas, 10 May 1798; EUL, Laing Mss, Div. II, 500, Montrose to Dundas, 19 August 1798. Montrose seems to have been acting in the absence of the local MP. For Denny, see footnote 206.
225. Clark, op.cit, p. 220.
226. NLS, Melville, Ms 352, ff. 5-8, Robert Dundas, Chief Baron to Robert S. Dundas, 4 July 1808.
227. Pitt papers, PRO 30/8/157, ff. 144-53, Dundas to Pitt, 12 November 1792. See also the sentiments of "Secerp" writing to the Editor of The Glasgow Courier, 20 November 1794. I owe this reference to Dr. John Brims. It is another aspect of what Alexander Murdoch calls 'The Importance of Being Edinburgh'.
228. NLS, Melville, Ms 352, ff. 5-8, Robert Dundas, Chief Baron to Robert S. Dundas, 4 July 1808; Richard Sher, 'Moderates, Managers and Popular Politics in Mid-Eighteenth Century Edinburgh: The Drysdale 'Bustle' of the 1760s', p. 209, in A. Murdoch, J. Dwyer and R. Mason (eds.), New Perspectives on the Politics and Culture of Early Modern Scotland (Edinburgh, 1982).
229. Clark, op.cit, p. 214; SRO, Bonar, Mackenzie and Kermack, GD235/13/1/66, Rev. Dr. Alexander Carlyle to Dundas, 12 April 1791.
230. NLS, Melville, Ms 352, ff. 118-9, Rev. David Ritchie to Robert Dundas, Chief Baron, 29 October 1810.

231. For the Evangelicals' anger at the way in which numbers among their ranks were blackened by slander, see: SRO, Melville, GD51/5/645/2, Dr. John Erskine to Dr William Gloag, 7 June 1796; SRO, Home Office Correspondence (Scotland), RH2/4/212, ff. 339-42 Rev. Dr. Thomas Davidson to Dundas, 31 January 1798. It is likely that many MPs in nominating candidates also inquired into their political principles: ibid, ff. 263-4, Robert Barclay MP to [Portland], 28 March 1797.
232. NLS, Melville, Ms 6, f. 37, Rev Dr. Hugh Blair to Robert Dundas, Lord Advocate, 10 December [1791].
233. SRO, Melville, GD51/6/923, Alexander Johnston of Straiton to [?Dundas], 23 January 1792.
234. NLS, Melville, Ms 6, f. 36, Lord Torphichen to [Robert Dundas, Lord Advocate], 11 December 1791; Scott, Fasti, I, pp. 178, 217.
235. I have dwelt on this presentation because it does show Dundas giving positive aid to the Moderates, who were very anxious in the business. Clark, op.cit, p. 220, sees it as Dundas failing to heed Moderate pleas. This is an error founded on a failure to realise that in 1791 Midcalder and Linlithgow were in the same presbytery. By the time Hew Scott prepared the Fasti, they were in separate presbyteries.
236. SAUL, Melville papers, Ms 4864, Principal George Hill to Melville, 13 February 1810.
237. SRA, Campbell of Succoth, TD219/6/89, Dundas to Ilay Campbell, Lord Advocate, 31 January 1784.
238. Technically, there was only one deanery in Scotland, that of the Thistle Chapel. In practice, the grants of rents of the Chapel Royal were commonly called deaneries and I have followed this terminology.
239. Robertson had the support of Sir James Stirling, which suggests a Moderate: SRO, Melville, GD51/2/1090/3/14, Sir James Stirling to Dundas, 8 October 1793. Supposedly only two of the chaplains appointed in 1793 were Evangelical.
240. Blinshall was well thought of by Hill, a fair indication of his politics. SAUL, Melville papers, Ms 4763, Principal Hill to Dundas, 2 December 1793. See also ibid, Ms 4465, James Guthrie of Craigie to David Scott MP, 7 May 1795, for Blinshall's politics.
241. Fleming was patronised by the Duke of Hamilton but without any indication of his church politics: NLS, Melville Ms 1057, ff. 12-13, Hamilton to Dundas, 27 March 1795. He was apparently a constitutional loyalist.
242. We will see Dr. Brown's change in party loyalties later.

243. Mackenzie was appointed through the interest of Lord Bristol and Henry Addington. SRO, Home Office Correspondence (Scotland), RH2/4/216, ff. 577-80, Charles Yorke to Charles Hope, Lord Advocate, 23 September 1803 (draft). Melville seems not to have been involved in the appointment: SAUL, Melville papers, Ms 4798, Principal Hill to Melville, 5 July 1804.
244. BL, Pelham, Add Mss 33108, ff. 450-3, Dundas to Pelham, 14 December 1801.
245. See Principal Joseph McCormick's comments on this in a letter to Dundas of 3 June 1791: SAUL, Melville papers, Ms 4457.
246. NLS, Melville, Ms 17, ff. 37-8, Memorial of four Professors of United College, St Andrews to Melville, [4 June 1807].
247. SAUL, Melville papers, Ms 4471, Dr James Playfair to Dundas, 18 November 1799; *ibid*, Ms 4760, Professor George Hill to Dundas, 9 January 1791, shows Playfair's early politics; *ibid*, Ms 4802, same to same, 26 November 1804 for his supposed later politics.
248. SAUL, Melville papers, Ms 4803, Principal James Playfair to Melville, 18 November 1804; *ibid*, Ms 4802, Principal George Hill to Melville, 26 November 1804.
249. SAUL, Melville papers, Ms 4817, Principal George Hill to Melville, 13 December 1806, gives some detail of the balance in United College.
250. SAUL, Melville papers, Ms 4876, Melville to Hill, 29 December [1810], (copy).
251. D.B. Horn, A Short History of the University of Edinburgh, 1556-1889 (Edinburgh, 1967), p. 102.
252. SRO, Melville, GD51/6/1075, Rev Dr. William Taylor to Dundas, 21 April 1795. For a scathing comment on Dundas's use of Edinburgh University patronage to benefit the clergy, see Sir William Hamilton (ed.), The Collected Works of Dugald Stewart (Edinburgh, 1858), vol. X, cxxxvii-viii, letter of Stewart to Francis Horner, 8 June 1805.
253. NUL, Portland, PwF 4305, Montrose to Portland, 31 October 1795.
254. NUL, Portland, PwV 110, p. 263, Portland to Montrose, 13 January 1797 (copy).
255. SRO, Melville, GD51/6/1205, Montrose to Dundas, 29 June 1797; BL, Pelham, Add Mss 33108, ff. 378-9, same to Pelham, 27 November 1801.
256. Meikle, *op.cit*, pp. 5, 49, 71, 107; SRO, Professor Hannay's papers, GD214/769, "List of the Original Constituent Members of the Independent Friends" [February 1785].

257. SRA, Campbell of Succoth, TD219/6/294(2), "A General View of the state of Parties in Gl.[asgow] College", 28 March 1800; ibid, TD219/6/301, Montrose to Ilay Campbell, Lord President, 20 May 1800.
258. SRO, Home Office Correspondence (Scotland), RH2/4/216, ff. 467-70, Montrose to Pelham, 10 August 1803; SAUL, Melville papers, Ms 4802, Principal Hill to Melville, 26 November 1804.
259. Murdoch and Sher, op.cit, p. 203; Ann Arbor, Melville papers, Melville to Robert S. Dundas, 11 March 1811.
260. For Dundas's early links with the Moderates, see A. Carlyle, Anecdotes and Characters of the Times, ed. J. Kinsley (London, 1973), pp. 228, 254.
261. SRA, Campbell of Succoth, TD219/6/207, Professor George Hill to Ilay Campbell, Lord President, 3 November 1790.
262. EUL, Laing Mss, Div. II, 500, letters of Sir John Inglis to Robert Dundas, Lord Advocate, 10 and 22 March 1793.
263. Clark, op.cit, p. 211.
264. The meeting at Dr Erskine's house, is alluded to in NLS, Melville, Ms 352, ff. 97-100, Rev. Dr. Walter Buchanan to Robert S. Dundas, 3 October 1810; see also, SRO, Home Office Correspondence (Scotland), RH2/4/212, ff. 339-42, Rev. Dr Thomas Davidson to H. Dundas, 31 January 1798.
265. Clark, op.cit, p. 220; NLS, Melville, Ms 14838, ff. 16-17, Rev. Dr. Thomas Davidson to Robert S. Dundas, 14 February 1810.
266. NLS, Melville, Ms 352, ff. 126-31, Robert S. Dundas to Melville, 6 March 1811, alludes to this question mark hanging over the Evangelicals.
267. NLS, Melville, Ms 352, ff. 48-9, Rev. Dr Thomas Davidson to Robert S. Dundas, 29 July 1808. In this letter Davidson appears to allude to the comparative quiet of the Evangelicals: "The fact is, that however many politicians there may be among them [the Moderates], there are very few indeed among us who meddle with politics at all. We generally wish to confine ourselves to our professional duties".
268. Meikle, op.cit, p. 206.
269. SRO, Melville, GD51/5/427/6, Principal George Hill to Dundas, 30 May 1799. Hill alludes to the concurrence of the Evangelicals in the necessary measures. For an equally suspicious view of the missionaries, see EUL, Laing Mss, Div. II, 500, Rev. William Porteous to Robert Dundas, Lord Advocate, 24 January 1797. For the missionaries generally, see J.H.S. Burleigh, A Church History of Scotland, (London, 1960), pp. 311-3.

270. Burleigh, op.cit, p. 319.
271. NLS, Melville, Ms 6, ff. 125-6, Rev John Webster, Inverarity to Rev Dr James Finlayson, 1 February 1794.
272. SAUL, Melville papers, Ms 4765, Principal George Hill to Dundas, 4 June 1795.
273. NLS, Melville, Ms 3835, f. 41, Regulations and Overture respecting the Erection of Chapels of Ease, Edinburgh, 26 May 1796. The core of the overture was thought up by Lord President Campbell and Lord Advocate Dundas: SAUL, Melville papers, Ms 4772, Principal George Hill to Dundas, 16 June 1796.
274. NLS, Melville, Ms 3835, ff. 39-40, Rev Dr Andrew Hunter to [Dundas], 12 May 1797; ibid, ff. 42-3, Reasons of dissent from a Sentence of the Presbytery of Edinburgh on the 30th November 1796, approving of Regulations and Overture respecting the Erection of Chapels of Ease.
275. Meikle, op.cit, p. 204.
276. EUL, Laing Mss, Div. II, 500, Dr W.L. Brown to Robert Dundas, Lord Advocate, 1 September 1792, concerning Dundas's grand nephews. For the election of Chancellor, see SAUL, Melville papers, Ms 4443, same to Dundas, 28 December 1790.
277. SAUL, Melville papers, Ms 4760, Professor George Hill to Dundas, 9 January 1791; NLS, Melville, Ms 6524, ff. 70-3, Dr. W.L. Brown to [Dundas], 27 June 1791.
278. SRO, Melville, GD51/6/1073, Rev. Dr. W.L. Brown to [Dundas], 19 April 1795; ibid, GD51/6/1140, same to same, 15 January 1796; NUL, Portland, PwF 2033, same to Portland, 21 November 1795.
279. SRO, Home Office Correspondence (Scotland), RH2/4/89, ff. 68-9, Lord Auckland to John King, 1 February 1804.
280. SAUL, Melville papers, Ms 4787, Principal George Hill to Dundas, 2 June 1800; SRO, Melville, GD51/5/655, Robert Stewart, St Fort by Dundee, to Dundas, 21 June 1800.
281. SRO, Home Office Correspondence (Scotland), RH2/4/216, ff. 499-510, Charles Hope, Lord Advocate to Charles Yorke, 24 August 1803 (from which the quotation is taken); ibid, ff. 569-72, Lord Auckland to same, 17 September 1803; SRO, Melville, GD51/5/665, Archibald Colquhoun, Lord Advocate to Melville, 2 February 1808.
282. The foregoing passage is based on Ian D.L. Clark, 'The Leslie Controversy, 1805', in RSCHS, XIV, 1963, pp. 179-197.
283. Clark, 'Leslie Controversy', p. 184.

284. HMC Fortescue, VII, p. 203, Thomas Grenville to Lord Grenville, 30 August 1805; SRO, Melville, GD51/5/657, John Connell to Melville, 8 January 1807; BL, Grenville, Add Mss 59259, ff. 198-207, "Sketches of the Scottish Bar" [26 December 1806], entry no. 30 for Connell; SRA, Campbell of Succoth, TD219/56/1, Robert Dundas, Chief Baron to Ilay Campbell, Lord President, 12 October 1805.
285. SRO, Melville, GD51/5/657, John Connell to Melville, 8 January 1807; ibid, GD51/1/987, John Hamilton of Sundrum to Melville, 30 December 1806; ibid, GD51/1/198/12/33, James Brodie of Brodie, MP to Melville, 10 May 1807.
286. SAUL, Melville papers, Ms 4817, Principal George Hill to Melville, 13 December 1806; SRO, Melville, GD51/1/198/10/60, Earl of Kellie to Melville, 22 December 1806.
287. Clark, 'Protest to Reaction', p. 217; BL, Holland House, Add Mss 51471A, "Officers Holding places in Scotland during pleasure, - proposed to be removed", 1806, ff. 14-5.
288. SAUL, Melville papers, Ms 4818, Principal Hill to Melville, 23 January 1807; NLS, Melville, Ms 1057, ff. 26-32, Dr Henry Grieve to Earl of Spencer, 29 January 1807 (copy); Clark, 'Protest to Reaction', p. 218; NLS, Melville, Ms 352, ff. 54-5, Robert Dundas, Chief Baron to Robert S. Dundas, 12 February [1810].
289. SRO, Bonar, Mackenzie and Kermack, GD235/9/1/33, Dr Henry Grieve to Melville, 28 April 1809.
290. NLS, Melville, Ms 352, ff. 54-5, Robert Dundas, Chief Baron to Robert S. Dundas, 12 February [1810]; ibid, ff. 126-31, Robert S. Dundas to Melville, 6 March 1811.
291. See footnote 204, above.
292. For correspondence of Lords Kellie and Grenville on Episcopalian Relief, March-May 1792, see BL, Grenville, Add Mss 59263, ff. 32-47.
293. SRO, Grand Lodge papers, GD1/1009/15/1, Chancellor Thurlow to Robert Dundas, Lord Advocate [n.d: ?early 1792], discusses the need for RC relief. See also Meikle, op.cit, pp. 196-7.
294. For the estimates of their numbers, see NLS, Melville, Ms 7, ff. 196-7, Robert Dundas, Lord Advocate to Henry Dundas, 1 May 1798; ibid, Ms 8, ff. 203-6, same to Robert S. Dundas, 14 November 1807.
295. NLS, Melville, Ms 6, ff. 193-4, Robert Dundas, Lord Advocate to Henry Dundas, 10 October 1794.
296. HMC Laing, II, pp. 580-2, Principal George Hill to Dundas, 31 July 1795; SRO, Melville, GD51/9/130, Rev. Dr Thomas Somerville to Dundas, 6 February 1798.

297. See e.g: EUL, Laing Mss, Div. II, 500, Rev. Dr William Porteous to Robert Dundas, Lord Advocate, 24 January 1797.
298. SRO, Home Office Correspondence (Scotland), RH2/4/83, ff. 195-8, Robert Dundas, Lord Advocate to Portland, 1 May 1798.
299. NLS, Melville, Ms 8, ff. 203-6, Robert Dundas, Chief Baron to Robert S. Dundas, 14 November 1807. This provides a good account of the government-seceder links, but the passage of time had confused the writer about some of the dates. See also HMC Laing, II, pp. 655-6, Lord Meadowbank to Lord Advocate, 27 April 1798.
300. For an allusion to these links, see EUL, Laing Mss, Div. II, 500, Charles Hope, Lord Justice Clerk to Robert Dundas, Chief Baron, 10 October 1805.

CHAPTER SIX

DUNDAS, ADDINGTON AND SCOTLAND, 1801-1804

In February 1801, Pitt and several of his Cabinet, including Dundas, tendered their resignations when it became clear that the King would not countenance their plans for Catholic emancipation. The event caused a sensation and while Dundas reiterated the 'official line' that Catholic emancipation was the sole issue involved,¹ it is now clear that contemporaries were right to believe that other motives were also concerned. There was undoubtedly a measure of war weariness in the Cabinet. The Foxite secession from parliament in 1797, by removing opposition pressure, allowed previously latent divisions to surface in the government and there had been much disagreement over war policy. Similarly there had been a coolness growing between Pitt and the King. Pitt increasingly took his sovereign's support for granted, while the King, resenting this insensitivity, took to interfering in policy matters, operating through intimates of his own. Between 1799 and 1800, King and Cabinet differed on a variety of foreign and domestic issues and as the sovereign's estrangement grew, so it was nurtured by unscrupulous courtiers, notably Lords Auckland and Loughborough. The royal rejection of Catholic emancipation was in effect merely the straw that broke the Cabinet's back.²

The resignation was quite unusual by eighteenth-century standards, in that the outgoing ministers undertook to support the new government.³ On Pitt's advice, this was given to the Speaker, Henry Addington. Opposed to Catholic emancipation, the

courtly and diffident Addington was to enjoy a much closer relationship with the King than Pitt had. In office he was the royal favourite and in a real sense he was more obviously the King's first minister than Pitt had ever been.⁴ Unfortunately his administration was undoubtedly seen as second-best⁵ and it was Pitt's promise of support and his persuasion of several friends to take office that underwrote its successful establishment. The King fell ill during the arrangement - a recurrence of his malady of 1788/9 - and for a brief period a regency seemed likely. Pitt took this opportunity to make it known that he would never again disturb the King's mind by pressing Catholic emancipation. This assurance and doubts about Addington's abilities, led to a hurried and confused attempt by some of Pitt's friends, including Dundas, to restore him to office in March. Beyond confirming onlookers in their suspicions about the real motives for the change of government, nothing came of these manoeuvres and the transfer of power was completed later that month.⁶

Dundas had serious reservations about Addington's fitness for office but kept them to himself, avowing full support for his ministry, while preparing himself for a more retired life.⁷ It was understood that he would retain a say in Indian and Scottish business and in both departments his nephew William was brought forward, in effect to represent the Dundas interest in government. To Lord Glenbervie, Henry Dundas had the appearance of a puppet master behind the scenes.⁸ The Scottish arrangements were settled in April and May. Chief Baron Montgomery was persuaded to resign

with a pension to allow the promotion of Lord Advocate Dundas. He was succeeded as Dean of the Faculty of Advocates by Robert Blair and Robert S. Dundas took his seat for Midlothian.⁹ Charles Hope became Lord Advocate but while the office retained its role as a link between local and central government, it almost completely lost the sub-ministerial functions that Robert Dundas had exercised. The day to day oversight of Scottish politics remained with the Dundas family. Hope retained the Advocate's pre-eminence in framing certain Scottish legislation, such as the Passenger Vessels Act of 1803, and he also took a close concern in volunteer and militia affairs.¹⁰

On 9 April, under friendly prodding from Ferguson of Raith, William Dundas was brought to say that with the help of his brother Robert, he would be able to govern Scotland. "We shall see", Glenbervie told his diary.¹¹ In fact there is no evidence of any dispute about Scottish management at this early stage and his Indian business complete, Henry Dundas left for Scotland in July.¹² In August, Hiley Addington, the Premier's brother, wrote to Dundas, "You may be assured that no Treasury Warrants, in which Scotland is interested, will be issued without your advice & direction".¹³ When Colonel William Stewart, son to Lord Galloway, tried to obtain Addington's support in his Wigtownshire politics, the correspondence was simply referred for Dundas's advice. Dundas gave friendly counsel, advising Addington not to commit himself in a contest that had implications for the politics of neighbouring counties.¹⁴ A little later, Hiley Addington received a polite but firm letter detailing a

mishap in a patronage matter that had befallen Ferguson, the Aberdeenshire MP. Dundas advised that more care be taken in such matters.¹⁵ In November, Hiley gave Glenbervie hopes of government support for his election to the vacant Aberdeen Burghs seat. In fact, Dundas espoused the cause of James Farquhar, brother-in-law to the late MP Allardyce, and he was elected. Glenbervie reported ruefully:

"In my intercourse with the two Addingtons I have seen that the management of Scotland is left entirely to Dundas and his two nephews, and that Lord Pelham is left entirely out of it. From him I know that he is far from understanding that it should continue so".¹⁶

Pelham was Home Secretary until he was succeeded by Charles Yorke in 1803, and in common with others of Addington's Cabinet, he was not a politician of the first rank.¹⁷ Somewhat conceited, he seems to have been jealous of his office's jurisdiction and while the distribution of local Scottish patronage followed the existing patterns set by Dundas and others, there is some evidence that Pelham resented the existence of a separate Scottish managerial system. Dundas's retreat to Dunira had led some to presume that he was totally retired, and Pelham was not short of correspondents advising him to take a hand in the government of the North.

First to write was Colonel William Fullarton MP, long out of sorts with Dundas. Offering his services to Pelham as an adviser, he hoped that the

"Northern Hive ... should evince their hiving qualities around your Lordship. If properly managed, they will enable you to suck honey out of thistles and will reserve their stings for your opponents".¹⁸

In August, Charles Innes, the old Portlandite electoral agent, offered similar services,¹⁹ while in November Sir David Carnegie MP, addressed

Pelham "in whose department this country is now particularly placed".²⁰

Perhaps these correspondents and a sense of his office, explain the assertive mood in which Pelham approached the first major patronage application from Dundas, concerning two vacant professorships at St Andrews. William Dundas sent Pelham a note "for his approbation", naming the two to be appointed.²¹ Unaware of Henry Dundas's position as Chancellor at St Andrews, and miffed at what he conceived as impoliteness from his nephew, Pelham initially asked Montrose, Chancellor of Glasgow, for advice.²² In the end Henry Dundas had his way, but as late as mid-December, he found it necessary to state that the names were his recommendations made after consulting the University.²³

The vacancy on the Scots bench occasioned by Lord Stonefield's death in June 1801 had also to be filled by Pelham and he was besieged with advice. Dundas had apparently decided to avoid making any recommendation as between several good candidates²⁴ and Pelham does not seem to have sought his opinion. Blair had again declined.²⁵ Sir David Carnegie recommended Charles Hay but Pelham had already had a less flattering description of him as "a rank democrate", a Foxite and a drunkard.²⁶ Pelham had confessed to Fullarton that he did not know whom to choose and Fullarton promptly wrote him a long detail, recommending William Robertson. He was not so close to Dundas as the other candidates but neither would his appointment be seen as a hostile act. It would serve to show Scotland that Dundas was not to be considered as undisputed manager and Fullarton coupled his advice

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with a warning about the dangers of according Dundas unrestricted influence in Scots affairs.²⁷ Montrose was driving at a similar idea in January 1802, advising Pelham to cajole Blair to the bench. Such an arrangement

"would give an air of energy to your administration ... & show that you acted from materials of your own collecting: to which point the Scotch are now very attentive, at the eve of a general election, that they may form an opinion of the source [sic] of power".²⁸

Montrose certainly wanted Dundas's influence lessened for, as we shall see, the two were by now at loggerheads. Latterly, Pelham had asked Lord Minto to investigate the candidates and after a brief enquiry, Minto pointed to Alexander Fraser Tytler.²⁹ This seems to have been decisive, for he was appointed in February. The new judge was a friend of Dundas, whose influence was not likely to have been diminished by the appointment.

Henry Dundas was not seen in London until April 1802. This was partly due to his wish to retire but principally to his disapproval of the peace preliminaries with France, revealed in December. These involved Britain ceding her most important conquests, including the Cape, Malta and Minorca. Nationally the reaction was mixed but war weariness and Pitt's endorsement of the terms as honourable and advantageous swayed many. Parliamentary opposition was correspondingly limited but it included Grenville and his followers who opposed government, openly breaking with Pitt.³⁰ Dundas was horrified by the preliminaries, seeing them as disastrous to the security of the Empire and he was furious at Pitt's involvement in framing the

treaty. While his views were revealed to a few intimates, he said nothing publicly and avoided going to the opening of parliament, where he would have been obliged to speak out against government and against Pitt.³¹ His silently remaining in Scotland was taken by some to indicate his support for government, combined with a disapproval of certain parts of the peace. With this impression, Colonel Alexander Hope MP begged Dundas not to withdraw from public life but to continue to manage Scotland and give his general advice to government. Dundas's reply was oblique but expressed his wish to continue in retirement.³² With his continued retreat at Dunira, it is little wonder that Walter Scott could believe in January 1802 that "There is at present no establishd [sic] Minister for Scotland".³³ In fact, Dundas's retiral did not yet extend to Scottish affairs.

The first major difference between Dundas and Addington was already brewing and concerned elections in Fife and Stirlingshire. Both counties were dominated by lairds rather than noblemen and both had proved difficult for government to 'manage'. Only in Stirlingshire was there a prominent landowner, Montrose, and the gentry had long made it their study to curtail his family's ambitions.³⁴ The crisis began with the elevation of the county MP, George Keith Elphinstone, to the Lords. His family, with Montrose's support, advanced Captain Charles Elphinstone Fleeming and asked for Dundas's support. Dundas declined, because he planned to forward his own relative, Sir Robert Abercromby.³⁵ The result was two elections for Stirlingshire in 1802: an uncontested by-election in January and a hard-fought

general election in July.

By now, Montrose was in the second rank of British politicians. He had a seat in Cabinet and had been offered but declined the Lord Lieutenancy of Ireland in February 1801.³⁶ He was outraged to be opposed by Dundas and in December he wrote to his friend Pelham, resigning the Stirlingshire Lieutenancy and his seat at the India Board in protest.³⁷ Pelham dissuaded him from resigning but the Duke was still furious at being humiliated in his own county by a man using the influence of government against him.³⁸ He waited till January before speaking to Addington, when he asked that Dundas and Abercromby should withdraw, or that government should take sides "even against the supposed present all powerful influence of Mr Dundas".³⁹ By the time Addington turned to the problem he had also to consider events in Fife.

Dundas had not been happy with Sir William Erskine's election for Fife in 1796, and by 1801 he was resolved to return his relative, Colonel John Hope, then on foreign service, at the next general election.⁴⁰ The canvassing began in early 1802 and Dundas's being out of office does not seem to have harmed his interest.⁴¹ Someone must have discussed Fife with Addington, because on 31 January he wrote to Dundas, saying that he understood Dundas to be opposing old established interests in Fife and Stirlingshire, both hitherto loyal to government. If Dundas did not desist, government influence would be used against him.⁴² Now Dundas was furious, describing Addington's letter as founded on misrepresentation. To Pitt, Dundas denied that Montrose's was an "old established interest", nor did he think

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'government' would be able to help him in Stirlingshire.

Concerning Fife, Dundas himself claimed to have the principal personal interest. He concluded, writing of government,

"If they let me alone and allow me to be quiet, they need not be afraid that I have any disposition to stand between them and the full exercise of their ministerial authority, but it must be done with decency,..."⁴³

To David Scott, Dundas pointed out that Montrose had taken "the magnificent line of walking over us", until he realised that an independent Scots county would not tolerate this. Pitt and Addington might persuade Abercromby to withdraw but it would have to be done with civility. Dundas concluded by hinting at plans to abdicate as Scots manager.⁴⁴

On 7 February, Dundas was able to tell Pitt that an arrangement was likely in Fife, whereby Sir William Erskine would be elected but would resign his seat if Colonel Hope wanted it on returning home.⁴⁵ By 15 February, the matter was settled between Dundas and Erskine but this was kept secret to avoid offending the freeholders, and the canvass was continued for a while before Hope's candidacy was ostensibly withdrawn.⁴⁶ The campaign had actually gone in Hope's favour but despite Dundas's prodding on his return, he proved unwilling to take the seat⁴⁷ and the Dundas/Erskine pact remained secret.⁴⁸

It is less clear what happened about Stirlingshire. The canvassing continued through February and on to the general election in July, when Elphinstone decisively defeated Abercromby.⁴⁹ We will see that Dundas and Addington had made their peace in April and it seems likely that administration ultimately took no side

in the struggle as was usual when two government supporters fell out. Montrose would nurse a grudge against Dundas for some years.⁵⁰

Recent writers have concluded that the two contests arose from Dundas's high handedness.⁵¹ This is only true up to a point. Dundas had an established interest in Fife and was no upstart there. At least one observer felt that the opposition to Hope was "an unhandsome proceeding".⁵² In Stirlingshire there is also room for exonerating Dundas. Montrose had never understood how to treat the county and there is justice in Dundas's accusing him of arrogance.⁵³ Abercromby undoubtedly had the support of many disenchanted with Montrose's interference in the county election of 1796.⁵⁴

In April 1802, Dundas went to London and had a full discussion with Addington. Partly it concerned Pitt, who was now, to Dundas's annoyance, standing aloof from government, sulking at Walmer. Dundas agreed to try to intercede with him. Dundas and Addington also resolved their "personal misunderstandings" about Scotland and despite his continuing wish to retire, Dundas agreed to "take the same charge of our Scotch affairs as I used to do, and endeavour so to connect my publick interest and friendships as to strengthen and maintain the power of government in my own country". The question of his getting a peerage was also discussed.⁵⁵ While he was in town he also took a brief part in Indian affairs.⁵⁶ In June, he left for Scotland. The King had visited him at Wimbledon and was so pleased as to tell him that he must keep the management of Scotland⁵⁷ and in July Glenbervie noted that

"Dundas is to be still King of Scotland and William Dundas under him undertakes for Scotland in the House of Commons".⁵⁸

Dundas is likely to have been behind the discomfiture of Sir David Carnegie who, canvassing the Aberdeen Burghs, believed from Pelham that Addington would not interfere with him. Later, he would be surprised to learn that Addington had written a public letter expressing support for Dundas's friend Farquhar.⁵⁹

The retiral of Pitt's administration from office and the ending of the war had changed something of the atmosphere of British politics. For some time, the perceived radical threat had receded and in 1802 the last Scottish sedition trial for some years ended with a comparatively lenient sentence for the accused, Thomas Wilson, a Fife weaver.⁶⁰ Thereafter, official concern about radicalism was largely confined to the sometimes alarmist Lord Advocate Hope.⁶¹ For the first time since 1793, politicians could look to other problems.⁶² Thus Addington began revising the tax system, in a sense taking up economical reform where Pitt had left off.⁶³

Over Britain as a whole, the new climate saw a resurgence of opposition activity at the general election in July 1802.⁶⁴ In Scotland, Dundas reported

"the democratical [i.e. Whig] interests of the country have been more alive and active than I have known them for these some [sic] years past. They broke out in the various corners of the Kingdom like conspirators at the same moment in all the burghs where they thought people were off their guard, and that they had a chance of success;...".⁶⁵

He had spent much of July at Edinburgh, concerting election arrangements and in this he was broadly successful. There were

eleven contests in the constituencies.⁶⁶ In Stirlingshire, Dundas's personal interest was pushed back, while in Lanarkshire the opposition of Lord Archibald Hamilton and the new Whig 9th Duke of Hamilton forced Dundas's old friend Sir James Steuart to retreat without a contest. Lord Armadale joined the Hamiltons in a less successful assault on the Linlithgow Burghs. In Aberdeen, Ferguson of Pitfour beat off a similar opposition attack by General Hay. Contests in Inverness-shire and Dunbartonshire were of little concern to Dundas, since all the candidates would support government.⁶⁷ The victories of his friends Patrick Heron in Kirkcudbrightshire and Andrew McDouall in Wigtownshire in bitter contests with the Galloway family, filled Dundas with undisguised glee.⁶⁸ In the Inverness Burghs Alexander Cumming Gordon at last found himself a seat by ousting Sir Hector Munro. The contest for the Stirling Burghs was, as always, hard-fought and in the end, the returning officer declared both Sir John Henderson and Captain Alexander Cochrane to be elected. An election committee in London eventually found in Cochrane's favour. With the commons elections as a whole, Dundas was well pleased:

"A more steady and attached representation never came from Scotland. Not one of our old steady supporters have lost their seats, and some changes to the better".⁶⁹

His pleasure was tempered by the unseating of Heron after Galloway's son raised a successful petition against him but, overall, in the first flush of victory, Dundas reckoned that twenty six of the Scots members were loyal to Pitt and himself, another nine were potentially supporters of Pitt, five would

follow Addington and five were "opposition at heart".⁷⁰ There is little evidence to suggest the Dundas-Pitt grouping lost ground.⁷¹

The peerage elections were also satisfactory to government. Dundas had anticipated opposition from the Duke of Hamilton and the Prince of Wales and he asked Buccleuch's advice as to candidates.⁷² Addington's only involvement was to indicate that if the current sixteen wished to continue, they could do so.⁷³ In fact only Torphichen stood down and three candidates, Balcarres, Elphinstone and Lauderdale, tried for his place. Dundas, knowing Balcarres to be the popular choice, had written to thirty four of his friends in the peerage advising them of government's wishes and he dissuaded several from standing as candidates. He would later regard his canvassing as decisive. Competition was not eradicated but it was rendered ineffectual. Lauderdale was personally popular and hoped to benefit from the changed political climate⁷⁴ but he was unable to get enough votes because it was felt that his election would be disrespectful to the previous government. Elphinstone had the backing of the Prince of Wales, but he too apparently bore the stigma that votes for him would be "oppositional [sic] to the King[']s ministers".⁷⁵ In the end, the well organized government canvass, in which Buccleuch was fully involved, carried Balcarres and the old fifteen.⁷⁶

Early in August 1802, Dundas's influence helped appoint Robert Trotter of Bush as Deputy Post Master General for Scotland, another example of his continuing grip on Scots affairs.⁷⁷ That same month, Dundas was formally offered a peerage.⁷⁸ He was personally indifferent to the honour but yielded to his friends

who argued that his remaining in public life was essential to the continuance of the political influence that he had built up for supporting government.⁷⁹ His title, Viscount Melville, Baron Dunira, was not in fact made public until December. This was partly because of the need to settle the necessary elections consequent on his leaving the Commons but mainly because serious doubts briefly arose as to whether future generations of the family would be financially able to uphold the dignity of a peerage.⁸⁰ More and more, he was slipping into retirement and he felt no inclination to attend the opening of parliament in November, merely advising Addington on the proper mode of summoning the Scots representatives.⁸¹

By late 1802, some of Addington's Scottish legislation was causing discontent. The disbandment of many volunteer corps at the war's end had caused the ruling classes some concern⁸² but this was minor compared to the irritation caused by the ill-advised extension of the inhabited house tax of 1802 to cottars and farm servants. Most were unable to pay and the act had to be partially suspended.⁸³ It seems likely that Addington acted partly on the old English belief that the Scots were undertaxed and this policy of economic 'thorough' definitely underlay his thoughts when he turned to the malt tax.

The malt tax increase of April 1802 broke the convention established in 1725 that Scottish malt paid only half the English duty. The Scots landed classes were incensed. The original justification for the Scottish indulgence - the inferiority of their grain - had been much weakened by improvements in Scots

agriculture and Addington knew this.⁸⁴ The rise in tax was accompanied by a stagnation of Scots barley sales from late 1802, and from Michaelmas until early in 1803, several Scots counties were agitating for a restoration of the old Anglo-Scots tax ratio.⁸⁵ An April 1803 meeting of landowners in Edinburgh took a different view, believing that their difficulties stemmed not from the tax rise but from the importation of English grain. They proposed confining the lower Scots duty to Scots grain and wanted English barley to pay English duties when brought North.⁸⁶ The Chief Baron was less convinced. Acknowledging a stagnation in grain prices, he attributed it not to some new-found realisation by Scots distillers and brewers of the merits of English grain - the argument of the meeting - but to the collapse of English grain prices to below those of Scotland. This he blamed on over-importation of foreign grain to England during the shortages of 1801-2. When the poor Scots harvest of 1802 raised prices, so the English stockpile was sucked Northwards. He saw no solution until English grain prices rose and meantime he felt that Scots farmers should accept this and cut their prices. He saw no benefit and many disadvantages in pressing for a change in the law and wished the landowners to leave the matter to the legislature.⁸⁷ The landed classes continued their agitation discreetly, not least because their objective of raising grain prices would infuriate the commercial classes. Addington ignored them. By May 1803, European affairs were dominating politics and he was unlikely to be receptive to Scottish complaints when he had officials like the

Chief Baron on his side. His financial administration was noted for its disapproval of local privileges and he may also have been influenced by the gratuitous and unofficial advice of the Glasgow Excise Collector Corbet, who urged him to stand firm against Scottish claims, arguing that some of the loudest complainers had benefited from irregularities in the tax's collection.⁸⁸

Ministers began to prepare for renewed war in the Autumn of 1802⁸⁹ and Addington attempted to bring Pitt into government to buttress it against the storm. Lord Grenville had separated from Pitt and often acted in opposition, but the two retained links.⁹⁰ In November 1802, they discussed plans for a joint return to office but these ended with Grenville determined not to sit in Cabinet with Addington, and Pitt, for his own part, decided not to return to power without Grenville.⁹¹ Yet Pitt was unwilling finally to break with Addington. His resentment of his former subordinate had been growing steadily since mid 1802. Bored with retirement, perhaps jealous of Addington's recognised financial skills, Pitt's irritation was fanned by his intimates. He had received no advance warning of Dundas's peerage and this had annoyed him⁹² yet he was also angered by what he imagined to be a slight on Dundas's former administration of the Navy implied in Addington's December budget speech. Pitt had progressively withdrawn from the advisory role he had played for Addington and by December, he was privately highly critical of him. The two met in January 1803, when Addington tried to coax Pitt to end his long absence from politics. In this he failed, Pitt vainly

demanding that he withdraw his recent budget, but they parted cordially enough. Addington would not take the rebuff and needed Pitt in office. He turned to Melville, by March 1803 in London.⁹³

With Pitt's irritation at Melville's peerage he may not initially have been the most acceptable mediator. The offer he broached was even less acceptable. Addington would resign to serve alongside Pitt as a Secretary of State, with Chatham as Premier. Pitt's blunt response was communicated by Melville on 22 March. Pitt was concerned at government policy but had no wish to take office or to attend parliament. He had no brief for Chatham as Prime Minister and in any case the chief minister had to be the finance minister, with the King's confidence and without division of power.⁹⁴ In short, Pitt would serve under nobody. Thus far it does not seem that Melville disagreed with Pitt's position.⁹⁵ Addington's response was selfless and he offered to resign the government to Pitt. On this basis they met on 10 April. In the interim, Grenville met Pitt and told him that he would join him in office but only if Addington and others were relegated to unimportant posts. Pitt's acquiescence in this blighted the negotiations. He told Addington that he would only take office at the King's desire and would choose his own Cabinet. Addington had hoped that Pitt would not insist on Grenville - who had taxed him hard in opposition - coming immediately to office. Pitt would give no such assurance and was clearly bent on consigning Addington to the Lords. Addington was shocked but digested the proposal. His Cabinet, unwilling to have Grenville's friends thrust on them, rejected it and by

14 April the negotiations were dead. Crucially, however, Pitt had not told anybody explicitly and publicly whether he really would insist on Grenville's return to office. This remained his secret.⁹⁶

Even as these negotiations proceeded, the Earl of Dumfries, one of the sixteen representative peers, died on 7 April. A vacancy had not been unexpected and Addington and Pelham had discussed what to do in August 1802.⁹⁷ Dundas had advised in September that Elphinstone would probably have the easiest election because of his links with the Prince of Wales's party - now growing among the peerage - and because of his canvassing at the previous general election. Nonetheless, if government chose to oppose him, Dundas felt they could succeed. They would have to act firmly and without delay, however.⁹⁸ The immediate crisis passed, and Addington did not reply to Dundas.⁹⁹ Consequently the vacancy of 1803 found government without a preferred candidate. With a hint of reproach, Melville told Addington that a contest was inevitable and that he would support Lord Kellie: "it is altogether your own fault, if you had any wish about it. It is probable, however, that you have not".¹⁰⁰ Addington indeed declared that same day that he took no part in the contest¹⁰¹ and a three-sided struggle began, with Melville and Buccleuch supporting Kellie, and the friends of the Prince of Wales severally pushing for Lauderdale and Elphinstone. By 4 May, it was clear that Kellie was ahead, but Melville's friends were conscious that if Lauderdale were to stand aside his votes would mostly transfer to Elphinstone, making Kellie's success more problematic.¹⁰² Elphinstone was more acceptable to his fellows than Lauderdale, and his 1802 candidacy

had secured him promises of votes from peers who would normally take Melville's lead.¹⁰³ On 20 May, perhaps under pressure from the Prince of Wales's friends, Lauderdale stood down. In a letter probably intentionally ironic, he wrote that the honour and independence of the Scots peers would be best served by this withdrawal.¹⁰⁴ The result was as Melville had feared. Elphinstone gained many of Lauderdale's votes and was elected on 16 June.¹⁰⁵ Melville's defeat was due to several unusual factors. Kellie was relatively unknown to the peers¹⁰⁶ and had lost out to Elphinstone by taking Dundas's advice not to contest the 1802 election. The votes gained then by Elphinstone, who had ignored Dundas's request, were crucial to his later success. So also was government's neutrality.¹⁰⁷ This neutrality was to become indicative of Addington's later policies to Scotland and in England it angered Pitt, who believed it had been a device to assist Lauderdale.¹⁰⁸

On 18 May, at the height of the peerage canvass, war resumed with France. Melville was gloomy at Pitt's failure to return to power but the two were still close and he reluctantly accepted that if Pitt did take office, he would have to do likewise.¹⁰⁹ The next few weeks would stretch their friendship to breaking point. On 23 May, Pitt spoke in favour of the war but some construed his speech as criticism of the government.¹¹⁰ On 2 May, despite agreeing with Melville to oppose Fox's call for Russian mediation, Pitt spoke for it in the House.¹¹¹ Melville's opinion of this about-turn is not known. In early June, government was faced with censure motions in both Houses and the ensuing events completed Pitt's alienation from

Addington. On 28 May, Melville had advised Pelham that government should meet the censure in the Lords head-on and defeat it.¹¹² Pitt, however, pressed the idea that government should move the orders of the day, in effect shelving the censure rather than facing it directly. So when Melville met Addington on 30 May, now advocating that Pitt's plan should be followed in both Houses, it is easy to understand why Addington referred pointedly to his preference for Melville's original advice.¹¹³ To avoid the censures would reek of cowardice and humiliate the government, and Addington knew full well who was behind Melville's change of opinion.¹¹⁴ In the Commons vote of 3 June, Pitt tried to move the orders of the day but was in a minority of fifty eight, nine of them Scots.¹¹⁵ Government proceeded to defeat the censure heavily. Similarly in the Lords, Melville's attempt to follow Pitt's lead was heavily defeated.¹¹⁶

Melville did not regard his vote as marking hostility to government¹¹⁷ but among the minority who supported Pitt in the Commons was William Dundas and he resigned his India Board office the next day.¹¹⁸ It was now clear that Addington would remain in power meantime and Melville, removing to Scotland, wanted a last settlement with Pitt. On 26 May, the two had been in full agreement. Pitt was resolved not to encourage attempts by 'factions' to promote his return to office and his principal object was the King's peace of mind. By 'factions', Melville meant the Grenville party.¹¹⁹ Subsequent events changed this accord and Melville's letter to Pitt of 16 June was very different in tone. In March, Melville had believed that Pitt's return to

power was certain¹²⁰ and he knew that Pitt's attitude to Grenville had been the obstacle. He believed that Pitt's public reputation would be damaged if it were perceived that his continued absence from government was owing to an unreasonable insistence upon humiliating Addington's friends by restoring Grenville to office.¹²¹ Now Melville wanted to know Pitt's intentions. Pitt had resolved to discuss his plans for a Cabinet with none but the King, but Melville "on the eve of retiring", claimed, "I have a right to share in your confidence". He warned that Grenville's and Addington's friends could not be mixed in office and Pitt would have to decide between those of his friends who had supported Addington, as Pitt originally wished, and those, like Grenville, who had not. Pitt had stated he would never join any faction to force a government on the King: how could he now consider taking into office men who had acted on opposite principles? Until the King knew that Pitt would not try to bring Grenville into the Cabinet, he would not call on him. If Melville knew the direction of Pitt's thinking, he could make discreet use of it and while he wrote of the loyalty of the Scots ruling classes to Pitt, he hinted at their probable dissatisfaction if they perceived that Pitt was allowing Grenville to interfere with his return to power. Melville's was an emotional letter, the only one in his long correspondence with Pitt that suggests the depth of their friendship.¹²² Pitt responded quickly, and the two met.¹²³ Melville gave two accounts of their conversation. It lasted hours but was ultimately unsatisfactory to him. Pitt was unwilling to discuss his views on Grenville unless Melville swore secrecy, which he was not, apparently, prepared to do. This

seems to have convinced Melville that Pitt did intend to press Grenville on the King. Crucially the two agreed on one point, that the King himself did not want to see Pitt returned to power, having apparently been annoyed with Pitt's conduct in the late negotiations. When Pitt and Melville parted, it seems that they did so on cool terms and they did not communicate for eight months.¹²⁴ From Scotland, Melville declared an intention of continuing support for government and he was displeased with Pitt's continued carping and sniping at Addington.

With the resignation of William Dundas and Melville's return North, the government of Scotland fell to others. Melville's last major work in Scots affairs had been his nomination of Sir John Stuart of Allanbank to be an Excise Commissioner in May¹²⁵ and the supervision of the peerage election in June. Addington now decided to forego the services of a Scottish manager and rule directly from London. Later he would write that his government would prove

"by its conduct, that it is determin'd to keep clear of narrow influence, & cabal, & to act fairly, & impartially by the people of Scotland".¹²⁶

In part, this decision was forced on him. The Melvillites might give a general loyalty to government but after their votes in June they could not continue to manage Scotland. Addington's policy was the logical culmination of his occasional interference in Scots affairs since 1802. Further, the government apparently had massive support in parliament and the conduct of a few potentially unreliable Scots was of less consequence when the generality of the

Scots ruling classes fell in behind government to support the war.¹²⁷ This change in Melville's status was not apparent to most Scots, however, not least because government still consulted him on some matters. In July 1803, Alexander Trotter expressed a perception that would remain prevalent:

"every thing in the quarter you mention still remains under the recommendation of L^d M. It wou'd therefore be ruin to the business to make application in the 1st instance to any other person...".¹²⁸

The 1803 parliamentary session saw a flurry of Scots legislation. The lot of parish schoolmasters was improved by a long overdue act, initially suggested by Colonel Fullarton but actually carried by Lord Advocate Hope against considerable opposition from the landed classes.¹²⁹ From June 1801, the highland landowners had been alarmed at the prospect of extensive emigration by their tenants and their agitation and the conclusions reached by inquiries by committees of the Highland Society of Edinburgh and the House of Commons led to three acts in June and July 1803.¹³⁰ The first, the Passenger Vessels Act, was ostensibly designed to improve travelling conditions for emigrants. In practice it was aimed at raising the cost of emigration.¹³¹ The second and third acts granted sums totalling £40,000 towards public works in the Highlands to promote employment. All three acts were Scottish in origin but Addington took a close concern in them and his support gained him praise in the North.¹³²

Much less popular was the malt duty increase of 5 July 1803. Announced in June, it was spoken against by William Dundas, and by 24 June an amendment had apparently been made, curtailing the increase on malt particularly made from bere.

Such was the row that Addington established a Select Committee to examine the relative levels of Scottish and English malt taxes.¹³³ This did not report until after he had left office but it gathered much evidence of a declining market for Scots bere due to the higher malt tax and to competition from the now relatively more favourably priced English grain.¹³⁴ It is unlikely that the government gained from the damage caused to the Scottish landowners by this legislation.

We have already noted the badly misconceived attempt by Addington to restructure the Scottish assessed taxes administration in 1803.¹³⁵ This seems to have been the worst of a series of legislative errors made by the government. In 1802 and 1803, William Dundas and Lord President Campbell were obliged to employ Alexander Mundell, a London solicitor, to check bills introduced to parliament

"in consequence of Scotland having been included in some public bills which ought to have been confined to England, of others applicable to Scotland having been inefficient from want of words to make them operative according to the law[,] language & forms of proceeding there, & also by reason that a number had been conceived in such manner as to occasion great doubts whether they extended to Scotland or no".¹³⁶

Scottish legislation had always been subject to a certain amount of negligence in drafting but it is not clear why the problem should have been so unusually bad at this time.

Whatever the effect on the Scottish gentry and officials charged with making sense of Addington's legislation, these administrative failings had little impact on the political nation as a whole. Britain was again at war and it was as a war leader

that Addington would be judged. The backdrop to Addington's opening moves was an initially stout support from Pitt¹³⁷ followed by a dispute over the July budget and Pitt's retreat to Walmer for much of the rest of the year.¹³⁸ Addington had tried to strengthen his position in May by bringing Tierney from opposition but Pitt's signal that he was critical of government, while unprepared to enter systematic opposition, was very damaging. Addington's parliamentary majority did not reflect the doubts in his leadership felt by much of the political nation. Paradoxically, this was despite his prudent preparations for defence, his successful restructuring of the income tax for war finance, and the initial successes of British arms.¹³⁹ At root, the political classes could only see his government as inferior in comparison with the galaxy of talent then outside office. Added to this were glaring failures in an otherwise sensible defence programme.

In England the rush of volunteers called for to meet the anticipated invasion was so great that government, faced with a shortage of arms and instructors, had temporarily to suspend recruiting. The disappointment, bafflement and insult felt by those rejected, opened to a wide audience the doubts felt as to Addington's leadership. The events have long been recognised as having dealt his reputation a grave blow.¹⁴⁰ A similar situation developed in Scotland. Late in June, Lord Hobart outlined the government's plan for a Scots force of 23,000 volunteers, allotted between the counties in proportion to the respective local offers of service that had been flooding in since March.¹⁴¹ Melville criticised the plan since several counties

could easily exceed their quotas and government would consequently have to reject later offers. Such rejections would occasion disgust and foster the impression that government wished to discourage the Scottish volunteer establishment.¹⁴² Indeed signs of irritation at the government's handling of the volunteers would shortly appear.¹⁴³

In July, Melville learned of government's Training Act, to introduce males aged 17-55 to arms and drilling.¹⁴⁴ He had advocated similar ideas himself but felt that this plan was too ambitious and would outstrip the resources for training and equipment. He would have preferred the full adoption of the current volunteer offers, a form of arming to which the country was habituated.¹⁴⁵ The final act envisaged two forms of service. Men could be conscripted, with compulsory drilling periods between March and September and the prospect of being merged with regular formations in the event of invasion. Alternatively they could form local volunteer corps, liable for service nationally as integrated units during any invasion. Government clearly preferred that people should serve in the latter form.¹⁴⁶ In effect this was to be a volunteer force additional to that envisaged in June but it was almost immediately announced that any units so formed would receive allowances and training considerably less than those given to the existing volunteers. There would now be two classes of volunteers.¹⁴⁷ Melville was angry at this "shabby and paultry [sic] system of saving" and pointed to Perthshire where it was unlikely that some 4000 men, who had offered to serve, would now be willing to do so when they could see neighbours with better allowances because they had been

permitted to enrol sooner. It was desirable to raise the force without disgust and without compulsion, but this would now be difficult.¹⁴⁸ A few days sufficed to confirm his view of the policy's unpopularity.¹⁴⁹

The allowances were not amended and the state of affairs occasioned was a theme of subsequent letters by Melville. As he had suspected, there were problems about finding weapons and instructors.¹⁵⁰ By Autumn, he expected a French descent on Scotland and felt that one in the North East would meet little resistance. This he blamed on government, who had "trifled [sic] with the spirit of the country" by departing from the proposals of June and he wrote of the "diffidence and discontent of which there has certainly been too much in the course of the Summer".¹⁵¹ Again in December, he wrote of the mismanagement of the volunteers "by which government has annoyed every corner of the country".¹⁵²

The above is Melville's view of events but he had his finger on the political pulse and it bears a resemblance to events in the South.¹⁵³ As in England, mishandling of the national armament dealt a blow to government's credibility. It did not, however, lead to a breach between government and the Scots Pittites.

Partly this was because many of them echoed Melville's sentiments, even as the volunteer fiasco developed: "It is my duty and inclination to support government and animate the country...".¹⁵⁴ Partly it was the lack of an alternative. Pitt was absent from centre stage. Melville, still unhappy about the failed negotiations of April, pointed out to Alexander Hope that his earlier prophecies were being proven true,

"that this part of the Kingdom at least would not relish the idea of having an inefficient administration because Mr Pitt would not accept without Lord Grenville. In truth there is at this moment existing in this country a great want of confidence in government, but the blame is laid at the door of Mr Pitt, and it is most unpleasant to observe the effects it produces".¹⁵⁵

With some foreboding and a lack of confidence, the Scots ruling classes went about aiding the war effort. A picture of the Scots Tories' sullen support was given to Addington by Colonel Thomas Maitland MP, brother to Lauderdale. He warned that despite past events, it was widely believed that Melville still had the patronage of Scotland. This perception was working to Melville's advantage, continuing his adherents' grip on Scots politics. They were acting "at all times in a lukewarm, and in most in a hostile manner to government" and both Melville and the Chief Baron had publicly spoken in a manner hostile to administration. In counties where Melville's supporters predominated, they worked to hinder the execution of government measures. Addington's only resort was to signal, by some high appointment unconnected with Melville, that Scotland should look to government for its direction. Maitland's suggested signal was the appointment of the Foxite Robert Hay as a judge.¹⁵⁶ Addington recognised Maitland's letter as "an offer, clumsily disguised, to be the Duke of Argyll or the L^d Melville of Scotland". He was aware of difficulties in the North but felt that they would recede.¹⁵⁷ In truth, Maitland was exaggerating. The difficulties facing Addington's policies were nationwide and there is no evidence in Melville's papers that his discontent went the length of Maitland's description.

Addington's perception that all was not well in Scotland may have led him to make a public demonstration of the new realities of Scottish politics. This, or gross insensitivity, is the only feasible explanation for the events that Melville described to the Chief Baron in December. In a bitter letter, he recounted that in the Spring he had taken to London a list of people for whom he wished pensions. After failing to support government in the Lords in June, he had resolved to tell the supplicants that he could no longer provide for them. Addington dissuaded him, however, and said that his recommendations would be implemented. In fact, nothing was done until December, when Melville was told that Treasury funds could not extend to paying the pensions. Almost immediately he learned that other pensions to an almost equal amount had been granted to others, not of his nomination. To his anger at this, was added the humiliation of having to explain to friends that he could not fulfil his earlier promises. Yet even now he did not turn against government and the incident did not cause a split between Melville and Addington. The significance of the incident is probably that Addington was signalling to Scotland that Melville was no longer the fount of government patronage.¹⁵⁸ Still Addington made no attempt to appoint any local manager of his own. Melville described this in February 1804:

"Government, (so far as this country), is in a strange predicament. It may seem odd to say so but I really don[']t find a person in it disposed to think or speak favourably of them... nobody knows anything directly of it or from it. There is nobody to give the tone of anything they are doing or intend to do

in the present moment, so that every thing is left to conjecture. I am in the same predicament I have been for many months, a perfect bystander, and decline giving advice".¹⁵⁹

Even as he wrote, the pace of events was quickening against Addington, who was shortly about to learn the folly of leaving his Northern ramparts unguarded.

Disillusion with Addington's government had gathered as the year progressed. The rising in Dublin in July, the hitches in defence planning and the fear of invasion all contributed to this, and the administration increasingly lacked confidence in itself.¹⁶⁰ An overpowering desire to remove Addington began to draw together the disparate groups in opposition. By late January 1804, Fox and Grenville had a working alliance to try and expel Addington and replace him with a broad-based administration. Pitt held aloof, saying that he would support some opposition measures but would not join a systematic opposition.¹⁶¹ Pitt's motives are now clear enough. He knew secretly that the King's hostility to him was cooling and this made him cautious in his conduct to Addington lest the King's mood be changed.¹⁶² Unexpectedly, the King's mental illness returned in February and the question of a regency opened. Publicly Pitt said he would support government only on the merits of each measure,¹⁶³ privately he prepared for the expected struggle and wrote asking Melville to come South.¹⁶⁴ Melville refused. He did not agree with Pitt's wish for a regency styled on that proposed in 1788, feeling that the circumstances were now different. The earlier crisis had been sudden and government was popular, while the Prince

was considered to be controlled by opposition. None of this was now true and the country was not in dread of opposition. Indeed, an unfettered regency would probably benefit the country if it led to a new, efficient administration, whereas a 1788-style regency would allow Addington to continue. Anyway, Melville was convinced that if the King did not die, he should be got to abdicate on his recovery. He advised Pitt to avoid intrigue and concluded:

"I cannot figure to myself in what respect I could be of the smallest public use, and I am not [sic] sure if many people might not [sic] have the good nature to attribute to me that amidst all my resolutions of retirement, I had taken the first opportunity of returning to fish in troubled waters". 165

When Pitt replied, the King had apparently started to recover. He restated his views on a regency and pointed to evidence of the King's friendlier attitude to him. He conveyed less substantial rumours that some near to the King and in the Cabinet now felt the need for a change of government, and if Pitt were called on, he would want Melville's assistance.¹⁶⁶ Melville was now vital to Pitt's planning and he spent some time with Lady Melville, then in London, divining whether Melville would consider a return to office. Lady Jane reported Pitt's determination that if called on he would try to form a broad-based government. This might not be possible, however, and he might be forced to head a narrow administration of his own adherents. He would not force anyone disagreeable on the King.¹⁶⁷

For a while, Pitt waited. He believed that government, supported by the King, could not be removed without a lengthy

struggle, damaging to the national interest. Gradually his view changed. On 24 March, Chancellor Eldon visited him. He wanted to know whether Pitt would take power, leaving Addington in Cabinet. Pitt replied that Addington could not remain in Cabinet but would be provided for. He was told that Addington's friends would not give him up and that in any case the King was not well enough to discuss such matters. To Alexander Hope, Pitt now revealed his determination openly to oppose government. He would wait until the King was recovered and would then inform him of his motives before taking any steps. For his reasons, Pitt assigned the manifest incompetence of the government in the face of threatened invasion, and the low esteem it enjoyed abroad, wrecking any chances of a foreign alliance.¹⁶⁸ In fact events in Scotland had already overtaken Pitt.

Francis Rawdon Hastings, Earl of Moira, had been Commander-in-Chief in Scotland since 1803 and would later marry the Countess of Loudoun. Close to the Prince of Wales, he had become popular with the Melville party and he and Lord Advocate Hope had become good friends.¹⁶⁹ On 22 March, he met Hope to inform him that the King remained unwell and that government planned a council of regency to include the Prince and Addington. The Prince was resolved to have nothing to do with this and told Fox that Moira would be his first minister in any regency. Moira, with the Prince's reluctant approval, was determined to form a broad administration, including Fox and Pitt. Now Moira was using Hope and the Melvillites as go-betweens with Pitt.¹⁷⁰ Melville wrote for Pitt's advice (24 March) stating that no-one in Scotland

had confidence in Addington and that any strong government would have the support of the country.¹⁷¹ Pitt replied (29 March) that the King was better than reported but that a regency was still possible. Pitt did not trust the Prince and was determined not to serve as other than first minister. He repeated the plans that he had detailed to Lady Melville and to Alexander Hope. If his letter to the King produced no effect, Pitt would try to defeat government by parliamentary measures and he asked Melville to send as many Scots supporters as possible to Westminster.¹⁷² Melville approved of all this but suggested that Fox and Grenville should be informed of Pitt's wishes for a broad administration to include them, even if in the short term, the King forced him to form a narrow one. Failure to have an understanding would result in Pitt's administration being as weak as Addington's. Melville agreed to mobilise his Scots allies to remove Addington by force if necessary.¹⁷³ Next day (4 April) he promised the votes of twenty six MPs.¹⁷⁴ Melville was clear on one point: he was not coming South himself. The main battle would be in the Commons where he could not directly interfere, and his influence would be best exerted in Scotland. He was now retired and only if Pitt was forced to form a government on his own could Melville be expected to take office. To Alexander Hope he explained confidentially that his income did not allow him to resume a political career.¹⁷⁵

In England, the Pittites prepared. Montrose was informed of their plans,¹⁷⁶ while Lord Advocate Hope, a Melvillite with a government office, diplomatically disappeared.¹⁷⁷ Pitt desired

William Dundas to concert with the Scots MPs. He had now decided to oppose the Army of Reserve Suspension Bill, remarking to Colonel Hope "we shall have employment enough ready for our friends from Scotland as they arrive".¹⁷⁸ In fact, the first move in this new state of affairs was on 16 April, when Pitt and Fox jointly opposed the Irish Militia Bill. Government's majority fell to twenty one, with six Scots, four of them Melville's friends, in the minority.¹⁷⁹ That same day Melville informed Pitt of the Scots support coming South and of the strategy to be adopted. Of the supposed commitment of the Cabinet to Addington, Melville was scathing

"I trust the exertions about to be made will teach them and something [sic] higher than them[,] that the mere favour of the K. without a corresponding confidence on the part of the publick, cannot in this country support the pretensions of a minister".¹⁸⁰

This was good Whig doctrine: it was also in complete contradiction to Melville's expressed opinion for years past on the King's right to choose his own ministers.¹⁸¹

Pitt was so sure that the division on 16 April had shaken government, that he thought victory in the Lords might also be possible and he begged Melville to join him (17 April). Even if he could form an administration including Fox and Grenville, he wanted Melville at the Board of Control and with "the management of Scotland".¹⁸² Finally persuaded, Melville came South, "with his pocket full of proxies, and a friendly attendance of commoners".¹⁸³ Addington was already in contact with Pitt, in effect looking for terms, and Pitt himself had told

Fox and Grenville of his plans.¹⁸⁴ On 22 April, he passed to the Chancellor his letter for the King, which was delivered five days later.¹⁸⁵ Addington's removal was fast approaching. On 23 April, a motion by Fox for a committee to consider the country's defence saw a government majority of only fifty two. Fourteen Scots MPs were in the minority, twelve of them friends of Pitt and Melville.¹⁸⁶ On 25 April, the government majority fell to thirty seven at the vote on the Army of Reserve Suspension Bill. Sixteen Scots stood in the minority with Fox and Pitt, fourteen of them Melville's friends.¹⁸⁷ For a government that had so recently enjoyed massive majorities, this was disastrous. On 29 April, Addington declared his resolution to resign.¹⁸⁸ The negotiations to form a new government began.

In discussing Addington's relationship with the Scots politicians, some points are salient. As in England, he was a second choice leader. Even his friend Montrose would later write that he

"has not compass of mind, & energy of character, sufficient for the supreme direction & controul [sic] of public affairs in this country, [although] he is certainly neither without talents, or honorable feeling".¹⁸⁹

Addington was not without friends in Scotland. He could call on Queensberry, Montrose and Lord Leven among the peers and among the commoners he had perhaps half a dozen followers. But he did not try to construct a personal party in the North. While he enjoyed Melville's confidence, this was unnecessary but even when he had broken with him, he failed properly to publicise the fact that Melville no longer had the management of Scotland.

Even Montrose, who might have been expected to know better, would say that Melville had never been out of power.¹⁹⁰

When the storm broke in 1804, Addington had no-one to rally any Scots supporters and was confronted, as Fullarton had long since warned, with an empire within an empire.¹⁹¹ This had been the nightmare of English governments since the Union: a Scottish manager using the influence that they had given him to bring them down. It was left to Lord Leven to pronounce on it:

"But in as far as the support of this part of the country is an object to Gov^t[,] I must confess it struck me, & many others, that the nomination at the Gen. Election so to speak, of so many members, was left entirely to M^r D. to whom most of them are so much devoted, who seems w^t his family to forget what minister created him a peer & who yielded to him a patronage, which now acts forcibly with him, against his patron".¹⁹²

Addington and his friends would not forget what they saw as Melville's treachery.

CHAPTER SIX: REFERENCES

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17. Philip Ziegler, Addington (London, 1965), p. 132. See also entry for Pelham in Dictionary of National Biography.
18. BL, Pelham, Add Mss 33107, ff. 111-112, Fullarton to Pelham, 12 July 1801.
19. BL, Pelham, Add Mss 33107, ff. 453-4, Charles Innes to Pelham, 16 August 1801.
20. BL, Pelham, Add Mss 33108, ff. 227-8, Sir D. Carnegie to Pelham, 1 November 1801. See also ibid, ff. 224-5, Lady Minto to same, 29 October [1801] for similar flattery.
21. BL, Pelham, Add Mss 33108, ff. 313-5, William Dundas to Pelham [ante 21 November 1801], with memorandum.
22. BL, Pelham, Add Mss 33108, ff. 319-20, Pelham to Montrose, 21 November 1801 (copy); ibid, ff. 378-9, Montrose to Pelham, 27 November 1801.
23. BL, Pelham, Add Mss, 33108, ff. 450-3, Dundas to Pelham, 14 December 1801.
24. Or so William Fullarton reported. There is no reason to disbelieve him. BL, Pelham, Add Mss 33108, ff. 456-7, Fullarton to Portland, [n.d.] (copy).
25. BL, Pelham, Add Mss 33108, ff. 346-7, Robert Blair, Solicitor General to Pelham, 24 November 1801.
26. BL, Pelham, Add Mss 33108, ff. 227-8, Sir D. Carnegie to Pelham, 1 November 1801; ibid, ff. 224-5, Lady Minto to Pelham, 29 October 1801.
27. BL, Pelham, Add Mss 33108, ff. 467-8, Pelham to Fullarton, 21 December 1801 (copy); ibid, Add Mss 33109, ff. 7-10, Fullarton to Pelham [ante 3 January 1802].
28. BL, Pelham, Add Mss 33109, ff. 54-5, Montrose to Pelham, 24 January 1802.
29. BL, Pelham, Add Mss 33109, ff. 25-6, Lord Minto to Pelham, 8 January 1802.
30. For the preliminaries, see Ziegler, op.cit, pp. 122-7.
31. For Dundas's views on the peace see: SRO, Melville, GD51/1/64/2, Dundas to Pitt, 6 October 1801 (copy); ibid, GD51/1/556/10, "Mem^o on the Preliminaries of Peace" by Dundas, 14 October 1801; ibid, GD51/1/556/17, Dundas to Earl of Spencer, 17 November 1801 (copy); ibid, GD51/1/17/23, same to Lord Rosslyn, 11 January 1802 (original).

32. SRO, Hope of Luffness, GD364/1/1135/2, Colonel Alexander Hope to Dundas, 12 December 1801 (copy extract); ibid, Dundas to Hope, 23 December 1801.
33. H.J.C. Grierson (ed.), The Letters of Sir Walter Scott (12 vols, London, 1932-7), I, pp. 126-8, Scott to Lady Anne Hamilton, 17 January 1802.
34. For the long history of the Montrose family and its struggles with the Stirlingshire lairds, see R.M. Sunter, 'Stirlingshire Politics 1707-1832'(University of Edinburgh PhD, 1971).
35. SRO, Melville, GD51/1/198/26/9, copy letters of hon. W. Elphinstone to Dundas, 14 November 1801, Montrose to Dundas, 17 November 1801 and Dundas to Montrose, 22 November 1801; ibid, GD51/1/198/26/10, copy letters of Sir Robert Abercromby to Montrose, 24 November 1801 and Montrose to Abercromby, 24 November 1801.
36. DCRO, Sidmouth, 152 M, C1801, OZ 37, Montrose to Addington, 16 February 1801.
37. BL, Pelham, Add Mss 33108, ff. 441-3, letters of Montrose to Pelham, 11 December 1801.
38. BL, Pelham, Add Mss 33108, ff. 464-5, Montrose to Pelham, 20 December 1801.
39. BL, Pelham, Add Mss 33109, ff. 30-1, Montrose to Pelham, 10 January 1802.
40. For Fife in 1796, see chapter three above. For 1802, see NRA(S) survey 783, Earl of Dundee, bundle 91, no. 18, Henry Dundas to Alexander Scrymgeour-Wedderburn, 1 February 1802.
41. SRO, Henderson of Fordell, GD172/1003/1, James F. Erskine to Sir John Henderson, 11 January 1802: "... had the all protecting wings of the highflying Dundas not been clipt [sic] of late, Sir William [Erskine] I suppose would have stood no chance and many people think these same wings are not much shorter than they were during his successfull [sic] management of the war. With respect to elections[,] opinion of power is the same thing as power itself".
42. NLS, Melville, Ms 1, ff. 103-4, Addington to Dundas, 31 January 1802 (copy).
43. Furber, Dundas, pp. 274-6, Dundas to Pitt, 5 February 1802; NLS, Melville, Ms 1, ff. 105-6, Dundas to Addington, 5 February 1802 (copy). The quotation is from the first document.
44. SRO, Melville, GD51/1/198/26/7, Dundas to David Scott MP, 6 February 1802 (copy).
45. Pitt papers, PRO 30/8/157, ff. 290-1, Dundas to [Pitt], 7 February 1802.
46. DCRO, Sidmouth, 152 M, C1802, OZ 125, Colonel Alexander Hope MP, to Addington, 15 February 1802.

47. NRA(S) survey 783, Earl of Dundee, bundle 91, no. 20, Charles Hope, Lord Advocate to A. Scrymgeour-Wedderburn, 20 February 1802; NLS, Melville, Ms 1046, ff. 24-31, James Cheape to 2nd Viscount Melville, 28 April 1824; SRO, Melville, GD51/1/198/10/57, General John Hope to Dundas, 7 October 1802.
48. SRO, Melville, GD51/1/198/10/58, Earl of Kellie to Melville, 15 April 1804.
49. B.L.H. Horn, Letters of John Ramsay of Ochtertyre 1799-1812 (Scottish History Society, 4th ser., 1966), p. 73, John Ramsay to Elizabeth Graham, 23 February 1802; Sunter, 'Stirlingshire Politics', p. 335.
50. Pitt papers, PRO 30/8/160, ff. 269-70, Montrose to Pitt, 14 May 1804.
51. Thorne, HP, I, 83; Sunter, 'Stirlingshire Politics', p. 320.
52. SRO, Scrymgeour-Wedderburn, GD137/152, Lord Rossllyn to [A. Scrymgeour-Wedderburn], 12 February 1802: "Mr Dundas would not have taken the step that he has done had he not been led to it by some attempt to preclude Colonel Hope from offering himself to the consideration of the county,...". For Dundas's influence in Fife, see Furber, Dundas, pp. 274-6, Dundas to Pitt, 5 February 1802.
53. SRO, Melville, GD51/1/198/26/7, Dundas to David Scott, 6 February 1802 (copy): Montrose had not replied to a letter written by Dundas before Abercromby took any public steps. "The Duke, unfortunately for his interest, has not yet learned the secret, that in an independant [sic] Scotch county, every thing depends on the choice of a candidate, and in that respect he never once has judged well,...".
54. Sunter, 'Stirlingshire Politics', p. 322.
55. SRO, Melville, GD51/1/195/2, Dundas to Robert S. Dundas, 23 April 1802.
56. DCRO, Sidmouth, 152 M, C1802, OP 25, Dundas to Addington, 19 April 1802; Matheson, Dundas, pp. 320-1.
57. L.V. Harcourt (ed.), The Diaries and Correspondence Of The Right Hon George Rose (2 vols, London, 1860), II, p. 123.
58. Bickley (ed.), Diaries of Glenbervie, I, p. 320, entry for 20 July 1802.
59. BL, Pelham, Add Mss 33109, ff. 257-8, Sir D. Carnegie to [Pelham], 24 June 1802.
60. Ziegler, op.cit, p. 153; Meikle, op.cit, p. 193.
61. See e.g: Home Office Correspondence (Scotland), RH2/4/88, ff. 231-4, Charles Hope, Lord Advocate to Pelham, 4 August 1803.

62. The spirit of the period is nicely caught by Scott: "The pressing & peremptory duty of national defences swallowd [sic] up till lately every lesser consideration & our legislators thought as little of amending our laws where they might be imperfect as a sailor would do of painting his cabbin [sic] during a hurricane. But as we are now I hope safely moord [sic] for some time & there is surely no reason why a thorough repair should not take place were it only to fit us to weather the next gale". Grierson (ed.), Letters of Scott, I, pp. 126-8, Scott to Lady Anne Hamilton, 17 January 1802.
63. For Addington's fiscal policy, see J.G. Rogers, op.cit, pp. 80-4.
64. Aspinall (ed.), Later Correspondence of George III, IV, p. xi.
65. DCRO, Sidmouth, 152 M, C1802, OZ 63, Dundas to Addington, 27 July 1802. Dundas and Pitt were not above referring to the Whigs as 'Jacobins' or 'Democrats' and this would appear to be the usage here.
66. Aberdeenshire, Dunbartonshire, Inverness-shire, Kirkcudbrightshire, Stirlingshire and Wigtownshire were all contested as were the following burgh groups: Glasgow, Inverness, Linlithgow, Stirling and Wigtown.
67. For these local struggles, and the elections generally, see BL, Pelham, Add Mss 33049, ff. 350-3, "State of the Last General Election in Scotland" [c. August 1802] and ibid, ff. 354-5, "View of the Probable returns for Counties & Boroughs in Scotland at the ensuing General Election", June 1802. Both are the work of Charles Innes. For Dunbartonshire, see also J. Campbell, ninth Duke of Argyll (ed.), Intimate Society Letters of the Eighteenth Century (2 vols, London, 1910), II, pp. 503-13. This shows Dundas trying to obtain Argyll's support for Abercromby in Stirlingshire. I have also used the election summary in Thorne, HP, I, p. 83.
68. Galloway was so angry with Dundas's opposition to him that he endeavoured to resign his Lordship of the Royal Bedchamber. Later he changed his mind: Aspinall (ed.), Later Correspondence of George III, IV, p. 32, Galloway to King, 2 June 1802; ibid, p. 38, King to Addington, 16 June 1802. For Dundas's joy, see BL, Huskisson, Add Mss 38737, ff. 12-13, Dundas to Huskisson, 29 July 1802.
69. BL, Huskisson, Add Mss 38737, ff. 12-13, Dundas to Huskisson, 29 July 1802.
70. NLS, Melville, Ms 9370, ff. 197-8, "State of Parties in the Scotch Members" [n.d. c.July 1802]. Other aspects of this document are discussed in chapter three. Charles Innes compiled his own, much less reliable state of the results: BL, Pelham, Add Mss 33049, ff. 350-3, "State of the Last General Election in Scotland", [n.d. c.August 1802].

71. The argument that Dundas lost ground in 1802 is advanced by Furber, Dundas, p. 277 and taken up by Lenman, Integration, Enlightenment and Industrialization, p. 107. The argument rests too much on the assumption that Dundas monopolized Scotland's politics. His personal interest was certainly damaged in Stirlingshire but the Pitt party as a whole held its ground.
72. SRO, Buccleuch, GD224/668/12/5, Dundas to Buccleuch, 21 June 1802.
73. The passage that follows is based on three letters in DCRO, Sidmouth, 152 M, C1802, OZ 61, Dundas to Addington, 16 July 1802; ibid, C1802, OZ 41, same to same, [n.d, but September 1802]; ibid, C1803, OZ 307, Melville to same, 13 April 1803. See also the election account in The Scots Magazine, 1802, p.777.
74. EUL, Laing Mss, Div. II, 461, Lauderdale to Lord Napier, 18 June 1802: "Peace being now happily reestablished [sic] and general tranquility having superceded the state of political animosity which existed during the war;...".
75. This at least was what Lord Keith reported: BL, Pelham, Add Mss 33109, ff. 396-7, Lord Keith to Pelham, 27 August 1802.
76. For Buccleuch's part, see EUL, Laing Mss, Div. II, 461, Buccleuch to Lord Napier, 14 July 1802.
77. NRA(S), survey 2709, Trotter of Bush, bundle 68, Robert Trotter to [Dundas], 13 August 1802 (copy).
78. SRO, Melville, GD51/1/66/2, Addington to Dundas, 2 August 1802; ibid, Dundas to Addington, 10 August 1802 (copy).
79. SRO, Melville, GD51/1/66/9, Dundas to Robert S. Dundas, 16 September 1802 (copy).
80. SRO, Melville, GD51/1/66/4, Dundas to Addington, 10 August 1802 (copy); ibid, GD51/1/66/11, Robert S. Dundas to Addington, 23 September 1802 (copy).
81. SRO, Melville, GD51/1/63/3, Dundas to Addington, 14 October 1802 (copy).
82. Ann Arbor, Melville papers, Charles Hope, Lord Advocate to Dundas, 21 September 1802; SRO, Melville, GD51/1/66/10, Robert S. Dundas to Henry Dundas, 23 September 1802; ibid, GD51/1/976, George Dempster of Dunnichen to Dundas, 11 May 1802.
83. See chapter four above.
84. Scots were well aware of the anachronism of the malt tax advantage: SRO, Home of Wedderburn, GD267/3/12/10-11, George Home to Patrick Home MP, 28 February 1786. Addington's speech to the Commons about the later malt tax increase reveals his thinking: see The Caledonian Mercury, 30 June 1803.

85. SRO, Melville, GD51/1/433, George Dempster of Dunnichen to Dundas, 20 October 1802. The activities of the counties can be followed from a bundle of papers in the Dundas of Arniston papers, NRA(S) survey 77. Two letters in particular are useful: [? Baron George Buchan Hepburn] to Governor Houston, 16 March 1803 (copy) and Robert Dundas, Chief Baron, to Colonel Alexander Dirom, 21 April 1803 (draft).
86. The printed resolutions of the Edinburgh meeting can be seen at SRO, Vans Agnew of Barnbarroch, GD99/229/17/1.
87. The Chief Baron's reasoning can be seen in three long draft letters to Colonel Dirom, 21 April and 13 May 1803 and to [? Campbell], 9 May 1803, in the Dundas of Arniston papers, NRA(S) survey 77.
88. DCRO, Sidmouth, 152 M, C1803, OZ 188, N Corbet to Addington, 11 March 1803.
89. Christie, Wars and Revolutions, pp. 259-60.
90. For the relationship between Pitt and Grenville in these years, see J.J. Sack, The Grenvillites, 1801-1829. Party Politics and Factionalism in the age of Pitt and Liverpool (Illinois, 1979), pp. 64-5.
91. Rogers, op.cit, pp. 99-101.
92. Harcourt (ed.), Diaries of George Rose, I, pp. 516-7, entry for 26 December 1802.
93. The decline in the friendship between Pitt and Addington is hard to chart, but there is an excellent summary in Ziegler, op.cit, pp. 161-4, 168-76.
94. Melville's letter to Addington is printed in Stanhope, Life of Pitt, IV, pp. 22-5.
95. Pitt was less than amused with the offer and his scathing private comments to others (not to Melville) can be seen in Stanhope, Life of Pitt, IV, p. 21. Nonetheless Melville's letter to Addington was drafted with Pitt's help. The draft can be seen at SRO, Melville, GD51/1/63/7.
96. For the account of the negotiations 22 March-14 April, I have relied mainly on Stanhope, Life of Pitt, IV, pp. 22-35.
97. BL, Pelham, Add Mss 33109, ff. 402-3, Addington to Pelham, 31 August 1802. The discussion had been precipitated by a false rumour of Eglinton's death.
98. DCRO, Sidmouth, 152 M, C1802, OZ 41, Dundas to Addington, [n.d. but September 1802].
99. Philips (ed.), Correspondence of David Scott, II, pp. 418-9, Melville to David Scott MP, 8 May 1803.

100. DCRO, Sidmouth, 152 M, C1803, OZ 307, Melville to [Addington], 13 April 1803.
101. SRO, Buccleuch, GD224/30/4/22/3, Addington to Lord Keith, 13 April 1803 (copy).
102. EUL, Laing Mss, Div. II, 461/2, Earl of Kellie to Lord Napier, 4 May 1803; SRO, Buccleuch, GD224/30/4/23, Melville to Buccleuch, 28 April 1803.
103. DCRO, Sidmouth, 152 M, C1802, OZ 41, Dundas to Addington, [n.d. but September 1802]. Gordon, Atholl, Eglinton, Dalhousie, Rollo and Hyndford had all been secured by Elphinstone's earlier applications and all normally took Melville's line: SRO, Buccleuch, GD224/30/4/22/1, Melville to Buccleuch, 19 April 1803; NLS, Melville, Ms 3, ff. 12-13, Hyndford to Melville, 17 April 1803; ibid, ff. 26-7, Rollo to Melville, 22 April 1803.
104. EUL, Laing Mss, Div. II, 461/2, Lauderdale to Lord Napier, 20 May 1803.
105. EUL, Laing Mss, Div. II, 461/2, Lord Kellie to Lord Napier, 16 June 1803.
106. Kellie had only recently succeeded to his title, had spent much of his life abroad and had limited influence: BL, Pelham, Add Mss 33109, ff. 396-7, Lord Keith to Pelham, 27 August 1802.
107. These considerations mean that it is not safe to draw general lessons from this election about Melville's influence on peerage business. To that extent, I disagree with the assessment of the contest given by McCahill, in SHR, 51 (1972), p. 185.
108. SRO, Buccleuch, GD224/30/4/23, Melville to Buccleuch, 28 April 1803.
109. SRO, Buccleuch, GD224/30/4/21, Melville to Buccleuch, 19 April 1803; ibid, GD224/30/4/23, Melville to Buccleuch, 28 April 1803: "I wish I were again at my farm, for I have no comfort here".
110. Stanhope, Life of Pitt, IV, p. 46.
111. This seems clear from SRO, Melville, GD51/1/64/3, Melville to Pitt, 27 May 1803 (copy) and ibid, GD51/1/64/4, Pitt to Melville, 29 [rectius 27] May 1803. See also Stanhope, Life of Pitt, IV, p. 52.
112. SRO, Melville, GD51/1/69/5, Melville to Pelham, 28 May 1803 (copy).
113. SRO, Melville, GD51/1/69/7, Addington to Melville, 30 May 1803.
114. The events of early June are described in Stanhope, Life of Pitt, IV, pp. 53-6 and Ziegler, op.cit, p. 187. The original of Melville's letter to Pelham (footnote 112)

- 114 is now at DCRO, Sidmouth, 152 M, C1803, OZ 330, where contd it is endorsed by Addington, "an ineffectual attempt to induce government to support the previous question in the two houses of parl^t".
115. Thorne, HP, I, p. 85. They were: Robert S. Dundas, William Dundas, Colonels Alexander Hope and Thomas Graham, Sir Hew Dalrymple Hamilton, James Ferguson, John Rutherford, Sir John Stuart and John Villiers.
116. Matheson, Dundas, p. 329.
117. SRO, Dundas of Arniston, RH4/15/6, letter book 8, no. 26, Melville to Robert Dundas, Chief Baron, 15 December [1803].
118. DCRO, Sidmouth, 152 M, C1803, OZ 243, William Dundas to Addington [4 June 1803].
119. SRO, Melville, GD51/1/64/3, Melville to Pitt, 27 May 1803 (copy).
120. SRO, Hope of Luffness, GD364/1/1136, Melville to Charles Hope, Lord Advocate, 11 August 1803; BL, Huskisson, Add Mss 38737, ff. 27-8, Melville to Huskisson, 14 July [1803].
121. BL, Melville, Add Mss 40102, ff. 102-5, Melville to Charles Long, 28 March 1803 (copy).
122. Dacres Adams papers, PRO 30/58/4/100, Melville to Pitt, 16 June 1803. There is a copy of this remarkable letter at BL, Melville, Add Mss 40102, ff. 120-3. A flavour of the tone can be gauged from the conclusion: "When I am bidding you perhaps a perpetual farewell, am I in truth very unreasonable in earnestly wishing to have my own mind set at rest on such a subject?"
123. BL, Melville, Add Mss 40102, ff. 124-5, Melville to Pitt, 21 June 1803 (copy).
124. Melville's accounts were given to William Huskisson and Colonel Alexander Hope. They are somewhat contradictory and he was more reserved in dealing with Huskisson. I have tried to reconcile them but it does seem clear that Pitt did not fully open his mind to Melville. They are referenced at: BL, Huskisson, Add Mss 38737, ff. 27-8, Melville to Huskisson, 14 July [1803]; SRO, Hope of Luffness, GD364/1/1136, Melville to Colonel Alexander Hope, 25 July 1803; SRO, Melville, GD51/1/72/1, Colonel Hope to Melville, 5 August 1803.
125. NRA(S) survey, 2709, Trotter of Bush papers, bundle 25, Alexander Trotter to Robert Trotter of Bush, [1 May 1803]. Robert S. Dundas would later say that Stuart's promotion was at the behest of the Duchess of Wurtemberg: NLS, Melville, Ms 59, pp. 126-33, Robert S. Dundas to Huskisson, 17 October 1808 (copy).

126. DCRO, Sidmouth, 152 M, C1803, OZ 317, Addington to [Charles Yorke], 28 October 1803.
127. DCRO, Sidmouth, 152 M, C1803, OZ 358, Duke of Queensberry to Sir John MacPherson, 14 March 1803, alludes to the need for the Scots political classes to rally to fight the war.
128. NRA(S) survey 2709, Trotter of Bush papers, bundle 25, Alexander Trotter to Robert Trotter, 20 July 1803.
129. Cockburn, Memorials, p. 186. The Advocate's motives in advancing the bill were reported in The Caledonian Mercury, 9 May 1803. For Fullarton's suggestion, see DCRO, Sidmouth, 152 M, C1802, OZ 32, Fullarton to Addington, 7 November 1802.
130. All these acts and their origins are discussed in J.M. Bumstead, The People's Clearance. Highland Emigration to North America 1770-1815 (Edinburgh, 1982). There is an important qualification as to the real extent of the emigration on p.98.
131. SRO, Home Office Correspondence (Scotland), RH2/4/89, ff. 140-4, Charles Hope, Lord Advocate to John King, 3 September 1804, discusses the act's real objects, as does Bumsted, op.cit, p. 89. The idea of inhibiting emigration by raising its cost had been around for some time: DCRO, Sidmouth, 152 M, C1802, OZ 95, Sir John McGregor Murray to Addington, 21 January 1802.
132. DCRO, Sidmouth, 152 M, C1802, OZ 47, Montrose to [Addington], 13 July 1802; ibid, OZ 109, Sir John Sinclair to Addington, 1 November 1802; ibid, C1803, OZ 61, Charles Grant MP to Addington, 21 July 1803; ibid, OZ 63, Lord Caithness to Addington, 25 July 1803.
133. The act was 43 Geo III, cap 81. The parliamentary debates were reported in The Caledonian Mercury, on 18 and 30 June, where some impression can be had of the pressure exerted by Scots MPs.
134. Report from the Committee on the Re-committed Report Respecting the Rate of Duty Payable on Malt made from Barley of the Growth of England, and from Barley and Bigg of the Growth of Scotland, (London, 1804), pp. 19, 21, 28, 82-4.
135. Above, chapter four.
136. SRO, Exchequer Reports, E307/12, pp. 183-6, Alexander Mundell to John Sargent, 23 September 1803 (copy).
137. See Diaries of Malmesbury, IV, p. 277.
138. Ziegler, op.cit, pp. 190-4.
139. Ziegler, op.cit, pp. 189, 198-200, 205-6, gives a clear picture of this state of affairs. Christie, Wars and Revolutions, pp. 261-2 has a positive opinion of Addington's opening moves in the war.

140. Ziegler, op.cit, pp. 198-202, has a good account of the English aspects of the problem. The various acts of parliament involved and their operation are set out in J.W. Fortescue, The County Lieutenancies and the Army 1803-1814 (London, 1909), chapter two.
141. For the plan, see NLS, Miscellaneous, Ms 14835, ff. 113-18, Lord Hobart to Lt. General Vyse, 20 June 1803 (copy), with plan enclosed. The allowances to be paid to the men are detailed in a printed paper of June 1803, of which there is a copy at SRO, Buccleuch, GD224/686/4.
142. Melville's views are set out at length in two letters: SRO, Hope of Luffness, GD364/1/1136, Melville to Lt. General Vyse, 14 July 1803 (copy) and SRO, Melville, GD51/1/63/9, Melville to Addington, 29 July 1803 (copy). He gave similar opinions in ibid, GD51/1/63/11, same to Duke of Atholl, 27 July 1803 (copy), and BL, Huskisson, Add Mss 38737, ff. 27-8, same to Huskisson, 14 July 1803.
143. See KCRO, Stanhope papers, U1590, S5/06/28, Lord Fife to Pitt, 28 July 1803, in which Fife details problems with the volunteers, stretching back to June.
144. SRO, Hope of Luffness, GD364/1/1136, Charles Yorke to Melville, 10 July 1803 (copy). The act became law on 27 July, as 43 Geo III, cap. 96.
145. SRO, Hope of Luffness, GD364/1/1136, Melville to Charles Yorke, 27 June 1803 (copy); ibid, same to Charles Hope, Lord Advocate, 11 August 1803; SRO, Melville, GD51/1/63/10, Melville to Robert S. Dundas, 26 July 1803 (copy). It is worth pointing out that the act in its final form owed much to Pitt, who insisted on making it the extended (and unwieldy) legislation that it became.
146. See Lord Hobart's printed circular letter to the Lord Lieutenants in Scotland, 30 July 1803. I used the copy in NRA(S) survey 2709, Trotter of Bush, bundle 92.
147. The new allowances were detailed in a printed circular letter by Lord Hobart to the Lord Lieutenants in Scotland, dated 3 August. I have used the copy in NRA(S) survey 2709, Trotter of Bush, bundle 92. The position was confirmed by a printed circular letter by Charles Yorke, dated 28 September 1803. I used the copy at SRO, Buccleuch, GD224/686/4.
148. SRO, Hope of Luffness, GD364/1/1136, Melville to Charles Hope, Lord Advocate, 11 August 1803.
149. SRO, Hope of Luffness, GD364/1/1136, Melville to Colonel Alexander Hope, 14 August 1803.
150. Fortescue, op.cit, pp. 82-5, details several Scottish examples of these problems.

151. SRO, Hope of Luffness, GD364/1/1136, Melville to Colonel Alexander Hope, 8 October 1803.
152. Pitt papers, PRO 30/8/157, ff. 294-7, Melville to Colonel Alexander Hope, 16 December 1803.
153. Ilay Campbell, Lord President, in an undated draft letter, perhaps to Lord Hobart, seems to be referring to the unrest caused by the government's volunteer legislation: SRA, Campbell of Succoth, TD219/6/18. Much later, Melville would discuss in general terms the disgust occasioned by Addington's government by the contemptuous manner in which they treated Scottish representations about coastal defence: SRO, Buccleuch, GD224/689/2/6/2, Melville to Pitt, 29 May 1804.
154. SRO, Hope of Luffness, GD364/1/1136, Melville to Colonel Alexander Hope, 14 August 1803.
155. SRO, Hope of Luffness, GD364/1/1136, Melville to Colonel Alexander Hope, 25 July 1803.
156. DCRO, Sidmouth, 152 M, C1803, OZ 306, Colonel Thomas Maitland to Addington, 16 September 1803.
157. DCRO, Sidmouth, 152 M, C1803, OZ 317, Addington to [Charles Yorke], 28 October 1803 (copy).
158. SRO, Dundas of Arniston, RH4/15/6, letter book 8, no. 26, Melville to Robert Dundas, Chief Baron, 15 December [1803]. Melville seemed to be of the opinion that Addington's actions were a form of showing that he no longer had any influence with government. Matheson, Dundas, pp. 331-2, was the first to discuss this letter but other evidence, not available to Matheson, disproves his assertion that the incident was the occasion of Melville's breach with Addington.
159. SRO, Hope of Luffness, GD364/1/1153/2-3, Melville to Colonel Alexander Hope, 22 February 1804.
160. Ziegler, op.cit, pp. 203-5. Lord Archibald Hamilton, Thoughts On The Formation Of The Late And Present Administrations, (London, 1804), p. 25, discusses the impact of the defence fiasco.
161. Ziegler, op.cit, pp. 207-8; Stanhope, Life of Pitt, IV, pp. 113-7.
162. Pitt was receiving information and advice as to the King's dispositions from Colonel Alexander Hope, then on the Duke of York's staff. The information he was getting and Hope's advice can be gleaned from SRO, Hope of Luffness, GD364/1/1137, Pitt to Hope, 30 January 1804 and Hope's reply, attached, 1 February; SRO, Melville, GD51/1/64/6, Pitt to Melville, 21 February 1804; ibid, GD51/1/78/4, Lady Melville to Lord Melville, 6 March [1804]; ibid, GD51/1/72/4, Colonel Alexander Hope to Melville, 21 February 1804.

163. Diaries of Malmesbury, IV, pp. 288-92.
164. I have not identified Pitt's letter. An initial contact was made through Lady Melville, then in London: SRO, Melville, GD51/1/78/1, Lady Melville to Lord Melville, 16 February 1804.
165. Melville's reply to Pitt was in two letters, one sent to Alexander Hope, the other to Pitt himself: SRO, Hope of Luffness, GD364/1/1153/4-7, Melville to Hope, 18 February 1804; SRO, Melville, GD51/1/64/5, Melville to Pitt, 19 February 1804. The quotation is from the second letter. Pitt's opinion on a regency can be seen in Stanhope, Life of Pitt, IV p. 123.
166. SRO, Melville, GD51/1/64/6, Pitt to Melville, 21 February 1804.
167. SRO, Melville, GD51/1/78/2-4, letters of Lady Melville to Lord Melville, 22 February-6 March 1804.
168. SRO, Hope of Luffness, GD364/1/1154/1, secret diary of Colonel Alexander Hope, entry for 25 March.
169. For Moira, see F. Bickley (ed.), Report on the Manuscripts of the late Reginald Rawdon Hastings, Esq. (4 vols, HMC, London, 1928-47), III, pp. xiii-xv, and Lenman, Integration, Enlightenment and Industrialization, p. 112.
170. Stanhope, Life of Pitt, IV, pp. 135-9, Charles Hope, Lord Advocate to Melville, 22 March 1804.
171. Pitt papers, PRO 30/8/157, ff. 298-9, Melville to Pitt, 24 March [1804].
172. Stanhope, Life of Pitt, IV, pp. 139-44, Pitt to Melville, 29 March 1804; SRO, Hope of Luffness, GD364/1/1154/1, secret diary of Colonel Alexander Hope, entry for 29 March.
173. Lord Mahon (later Stanhope), Secret Correspondence Connected With Mr. Pitt's Return To Office In 1804 (privately printed, London, 1852), Melville to Pitt, 3 April 1804. The original letter is in the Dacres Adamspapers, PRO 30/58/5/8.
174. J.H. Rose, William Pitt And The Great War, (London, 1911), p. 498, citing letter of Melville to Pitt, 4 April 1804.
175. Dacres Adamspapers, PRO 30/58/5/9, Melville to Colonel Alexander Hope, 5 April 1804.
176. Dacres Adamspapers, PRO 30/58/5/11, Charles Long to Pitt, [7 April 1804].
177. DCRO, Sidmouth, C1804, OZ, Charles Hope, Lord Advocate to Addington, 1 May 1804.

178. Stanhope, Life of Pitt, IV, pp. 145-8, Pitt to Melville, 11 April 1804; SRO, Hope of Luffness, GD364/1/1137, Pitt to Colonel Alexander Hope, 13 April 1804.
179. [Cobbett's] Parliamentary Debates, II, p. 139. The six were Robert and William Dundas, James Ferguson, hon. J.C. Villiers (all friends of Pitt and Melville), Lord Archibald Hamilton and Sir John Sinclair.
180. Dacres Adams papers, PRO 30/58/5/14, Melville to Pitt, 16 April 1804.
181. Melville's double standards did not pass entirely unremarked. See Lord Archibald Hamilton, op.cit, p. 56.
182. Stanhope, Life of Pitt, IV, pp. 148-50, Pitt to Melville, 17 April 1804. On that very day, Melville was expressing his opinion that he would not be expected to participate in any government: SRO, Hope of Luffness, GD364/1/1153/8, Melville to Colonel Alexander Hope, 17 April 1804.
183. Lord Archibald Hamilton, op.cit, p. 56.
184. Stanhope, Life of Pitt, IV, pp. 151-2, Lord Grenville to Marquis of Buckingham, 19 April 1804.
185. Stanhope, Life of Pitt, IV, p. 156.
186. [Cobbett's] Parliamentary Debates, II, pp. 249-50. The Melvillites were: George Baillie, James Brodie, Sir Hew Dalrymple, Robert and William Dundas, James Ferguson, Colonel Thomas Graham, Colonel Alexander Hope, General A. Mackenzie, Sir James Montgomery, John Rutherford and the hon. John Villiers. The others were Sir John Sinclair and Lord Archibald Hamilton.
187. [Cobbett's] Parliamentary Debates, II, pp. 319-20. The Melvillites were: George Baillie, James Brodie, Sir Hew Dalrymple, Robert and William Dundas, James Ferguson, Colonel Thomas Graham, Colonel Alexander Hope, Colonel Andrew MacDouall, General A. MacKenzie, Sir James Montgomery, John Rutherford, Sir John Stuart and the hon. John Villiers. The others were Lord Archibald Hamilton and Sir John Sinclair.
188. Stanhope, Life of Pitt, IV, pp. 160-1.
189. Pitt papers, PRO 30/8/160, ff. 277-8, Montrose to Pitt, 26 December 1804.
190. Pitt papers, PRO 30/8/160, ff. 269-70, Montrose to Pitt, 14 May 1804.
191. BL, Pelham, Add Mss 33109, ff. 7-10, Colonel William Fullarton to Pelham, [ante 3 January 1802]. Quoted in chapter one above.
192. DCRO, Sidmouth, 152 M, C1802, OZ 133, Lord Leven and Melville to Mrs. Goodenough [Addington's sister-in-law], 16 June 1804.

CHAPTER SEVEN

PITT'S LAST ADMINISTRATION AND THE TALENTS MINISTRY:
SCOTLAND, 1804-1807

From the outset, Pitt's second administration was in serious difficulty. After Addington's resignation, the King turned to Pitt for a statement of his intentions and Pitt indicated (2 May) that he wished to form a broad administration, including Fox and Grenville. The King absolutely refused to have Fox in the Cabinet. He was, however, prepared to allow his supporters to enter government and Fox selflessly discharged Grenville and his other allies from their obligations to him, urging them to take office without him. In fact in a display of party loyalty they refused to abandon him and chose to remain in opposition, convinced that events would force the King to admit Fox to power. Pitt himself was bound by his own principles that the monarch should never be forced to have ministers who were unacceptable to him. In this view he now had to take office to protect his sovereign, but it was clear that he could only form a ministry from his own supporters and from what he could salvage of Addington's government. Inevitably, the new government was narrowly based and weak.¹

The Fox-Grenville group was a formidable opposition and it had the full support of the Prince of Wales, whose star had been rising since 1801 as the public perception of his father's age and precarious health had gained ground. Melville neither liked nor respected the Prince but he was increasingly conscious of the threat posed to the constitution by the Prince's alienation from his father and he hoped that they could be reconciled.² For some

time he hoped that Pitt would allow him to offer Lord Moira a place in government, so that Pitt could be seen publicly to aim at a broad administration.³ This did not prove possible, apparently because of the Prince's public pronouncements, and Pitt decided to make no proposal to Moira.⁴ Nonetheless Moira remained on good terms with the Scots Pittites and for some time he was courted, particularly by Charles Hope, in the belief that he might be the agent for reconciling King and Prince.⁵

In his tight situation, Pitt insisted that unless Melville took the Admiralty, Pitt would not form a government. Melville reluctantly accepted, believing that he would only hold the post for a year or so.⁶ His personal finances were precarious and did not benefit from an appointment where the expenses exceeded the salary.⁷ Lord Hawkesbury was made Home Secretary and William Dundas became Secretary at War. Montrose became President of the Board of Trade and one of the Postmasters-General, but he had to be persuaded for he was still angry at the treatment that he had received from Melville in 1802.⁸ The management of Scotland was again firmly in Dundas family hands. William Dundas and Melville's son Robert were more prominent in this work than hitherto, a situation partly brought about by the illness and subsequent long convalescence of Chief Baron Dundas from Autumn 1804.

The nature of Pitt's parliamentary problems was clear enough. The 'New Opposition' under Fox and Grenville could muster 150 followers and as an opposition was more effective than any for some years. Addington retained the loyalty of about 60 MPs. On a major vote in June it was clear that Pitt's majority in the House

was only about 40 and he began to look for ways to win over Addington, hitherto aloof.⁹ Among the Scottish MPs, it was reckoned that Pitt could count on 38,¹⁰ yet even in the North there were problems. The general revival of opposition, first marked in the Addington years, continued and gained from the respectability conferred on it by Grenville. Dynastic changes had brought Whigs to the fore in several Scots noble houses, of which the most notable was that of the Hamiltons.¹¹ The Marquis of Bute, formerly a Portlandite Whig, also drifted back to opposition.¹² The Marquis of Stafford, with numerous personal links to Grenville and annoyed at Pitt's inattentiveness to him, joined opposition early in 1805.¹³ Melville had long since noted the growing influence of the Prince's party among the Scots peers.¹⁴

For much of the Summer of 1804, Melville was busy with naval affairs, preparing the fleet that would ultimately triumph at Trafalgar. From the start it was, as he recognised, "particularly and industriously propagated, that nobody but Scotch connections will be favoured at this office" and Melville was determined to disprove this by doing "equal justice to all so far as my means enable me".¹⁵ In fact he derived relatively little patronage from being First Lord of the Admiralty. His predecessor, St Vincent, had given away most of the available posts and for months Melville had to respond to applications with the reply that while ships were still being prepared, he could only make notes of candidates.¹⁶ Yet even such notes were patronage of a sort and when Melville left the Admiralty in April 1805 he gave

his successor twelve long lists of individuals whose pretensions he had marked for various posts.¹⁷

Scottish domestic politics were comparatively tranquil until the Autumn. The government and administration of Scotland proceeded much as it had done during Pitt's first term of office. There was some attempt to address the administrative mistakes made by Addington's government¹⁸ and Pitt's cost-cutting was again felt by Scottish office-holders.¹⁹ Otherwise there were no great departures in Treasury or Home Office policy.

The death of Tweeddale, a representative peer, caused a by-election in November, with both Kellie and Lauderdale standing. Kellie had early sought Melville's support²⁰ and this time - not as in the 1803 election - he had the full weight of government behind him. Robert Dundas helped co-ordinate the canvass in Edinburgh.²¹ He did not regard the election as a foregone conclusion and at times Kellie was worried.²² In the end, the election of 14 November saw him victorious but Lauderdale's hard campaign, an indication of opposition strength, had given the Pittites food for thought.²³

The legal promotions following the death of Justice Clerk Eskgrove also caused a stir. He was replaced by Charles Hope, but not before the post was offered, at Moira's suggestion, to Henry Erskine.²⁴ Hope's replacement as Advocate was Sir James Montgomery, son to the former Chief Baron. Montrose, until now very friendly to Pitt,²⁵ was furious. His own candidate for the appointment, Archibald Colquhoun of Clathick, was passed over and Montrose tried to resign his government offices, claiming that his Scots friends were being proscribed by Melville.²⁶ He was

eventually persuaded out of this decision only after Pitt had sponsored a meeting between the two feuding nobles.²⁷

Melville's last Scottish business of 1804 involved the re-arrangement of revenue posts following the death of his relative John Hamilton, Receiver General of the Land Tax. This bereavement and the illness of the Chief Baron had depressed Melville and the year ended on a gloomy note.²⁸

In the last weeks of 1804, Pitt had been casting around for allies to strengthen his government. In November, he had attempted to reconcile the King and the Prince in the hope that Moira could then be brought into government. With the Prince on his side Pitt would be able easily to draw supporters away from opposition. The plan in fact foundered²⁹ but negotiations with Addington were much more promising. With the help of the King and Lord Hawkesbury, Addington was persuaded with his friends to take office and he was ennobled as Lord Sidmouth. Unfortunately it was but a short-lived 'marriage of convenience'³⁰ and was ended by events surrounding Melville.

A Commission of Naval Enquiry, established by Addington's government, had examined Melville's conduct while Treasurer of the Navy.³¹ Their confidential investigation had latterly focussed on large sums of money which should have been lodged with the Bank of England in the years 1786-1799 but were not. Melville's initial response to the investigation was that while he had ultimately accounted for all the moneys concerned, he had subsequently destroyed the relevant private papers. Further, some

of the money had temporarily been used for confidential government purposes, which he would not discuss. There was never any question of money being lost, but Melville's answers began to look disingenuous once it became clear that his deputy, Alexander Trotter, had regularly lodged large sums of naval money for private profit at Coutts' Bank. Trotter, a Midlothian laird, had become a rich man and Melville was well aware of it.³² The publication of the 10th Report of the Naval Enquiry (18 March) revealed all this, exposing Trotter's misuse of government money and Melville's apparent involvement in it. Rumours of the Enquiry's findings had circulated for weeks and now a storm broke. A belated and inadequate letter from Melville to the Commissioners on 28 March failed to answer the questions cast up by the investigation and Pitt's opponents now began a general attack on Melville. Pressure grew for his resignation. On 8 April, Samuel Whitbread MP, now Melville's lead pursuer, tabled resolutions declaring him to be guilty of breaking the law. Pitt's wish to oppose the resolution directly was rejected by Sidmouth, who forced government to the expedient of trying to refer the matter to a Select Committee. In this Pitt failed. The motion was defeated by one vote in the Commons, after Wilberforce threw his followers against Melville. Melville's resignation on 8 April was inevitable. Pitt, who had refused Wilberforce's entreaties to abandon his old friend, was shortly forced to ask for him to be removed from the Privy Council also (5 May).

By 9 May, William Hope, MP for Dumfriesshire and a friend of Melville, had ostentatiously left London. Melville's son-in-law

George Abercromby, MP for Edinburgh, prepared to do likewise. Alexander Hope, perhaps at Pitt's prompting, tried to divine whether Melville felt it advisable that his friends should continue to support Pitt. Hope felt that they should, since if Pitt resigned it would be a sacrifice of the King, an abandonment of foreign allies, and a handing of the government to Melville's persecutors.³³ In reply, Melville doubted the significance of the two departures. William Hope intended to leave parliament and Abercromby had long since told Melville that he too would resign if Pitt was forced to continue in office relying on Sidmouth's support. Melville was certainly aware of a revulsion among his friends against being involved with Sidmouth. He was also conscious of a current of thought that felt Pitt should dissolve his government - it had no permanency - and give his aid to the King to form a stronger one, which he could either join or oversee. Meantime, however, Melville had no reason to doubt Pitt's political judgement and he took it for granted that his friends would remain in town to support government.³⁴ This reply would have more than satisfied Pitt. His precise attitude to Melville at this period is unclear. It is too much to suggest that Pitt now 'courted him for his political interest rather than for his statesmanship'.³⁵ Their friendship had been damaged in 1803 but this had largely been forgotten and the limited evidence available suggests that Pitt intended to give his friend stout support as much on personal as on political grounds.³⁶

By progressions a motion was tabled in the Commons calling for Melville's impeachment and he obtained permission to address the

House in his defence on 11 June. He gave a powerful reply to allegations against him but in his conclusion he was ill-advised in doubting the justice of a prosecution. Worse, the terms of his refusal to disclose the confidential government purposes for which he disbursed some £10,000 in Scotland about the year 1786, were construed as arrogance. These failings in his speech were decisive in turning the House against him, with Wilberforce's group being joined by some of Sidmouth's friends in the majority.³⁷ For the next year, much of Melville's time and energy would be devoted to preparing his defence against the impeachment.

Melville's difficulties had dealt a heavy blow to Pitt's government and Pitt proceeded to make things worse. In appointing Charles Middleton, later Lord Barham, to succeed Melville at the Admiralty, he angered Sidmouth who had his own candidate. Barham's appointment was designed to allow Melville's return at a later date.³⁸ Pitt himself was angry at the way in which Sidmouth's friends had joined the attack on Melville and he indicated that they could expect no government appointments. In July, Sidmouth resigned and began to listen to overtures from Fox.³⁹ The parliamentary recess gave Pitt a breathing space and he could derive comfort from the French abandonment of their invasion plans in August and from the victory at Trafalgar in October. It was only a respite. In October, Charles Hope wrote, "If the allies fail, Bonaparte will recur [sic] with redoubled fury on us, & a strong government will be more necessary than ever. M^r Pitt cannot stand as he is".⁴⁰

Melville had returned to Scotland in August. His descent from power was a major shock in the North and Cockburn would later

write that "the main spring of the Scotch pro-consular system was weakened".⁴¹ This is an exaggeration. The bulk of Scottish MPs had remained loyal to government and a large proportion of them had supported Melville in the Commons' votes.⁴² Melville's influence would continue strong, even during the administration of a government basically hostile to him. Only in the field of church affairs does the impeachment seem to have had any impact, and the Evangelical party may have gained in the Leslie case and in the election for the Procurator to the Assembly from Melville's misfortunes.⁴³

William Dundas now took the lead as Scottish manager and Thomas Grenville optimistically reported that the elections there "in case of dissolution, are stated to me to be less promising to government".⁴⁴ In fact the only two by-elections of this period, in the Wigtown and Perth Burghs, showed little evidence of this. The Perth election in particular, in which Melville saw a friend, David Scott, defeated by a relative, Sir David Wedderburn, served only to indicate, once again, the unpredictability of burgh politics.⁴⁵

Surprisingly the Pitt government chose this moment to advance an attempt at major reform in the Scots law, and this without initially consulting the Scots politicians. By September 1805, the delays in expediting Court of Session business and the numerous appeals to the Lords were presenting serious problems. When Lord Ankerville died, there had been a negotiation in progress to obtain his resignation in return for a pension to his family but it was not

completed.⁴⁶ His replacement was delayed and it was from the Home Secretary, Hawkesbury, that a surprised Chief Baron learned that it was planned to reduce the number of judges.⁴⁷ The reaction from the Scots law officers was unanimously hostile. The Chief Baron wrote to William Dundas. While admitting the need for reform, he warned that any attempt to reduce the size of the Court would lead to a repeat of the discontent of 1785. In any case, it would violate the Treaty of Union. The plan seems to have come collectively from Hawkesbury and Chancellor Eldon, although the Baron suspected the involvement of William Adam.⁴⁸ The Scots law officers wrote with their own plans in mid-October. They pointed to the Court's failings but rejected the idea of diminishing it. Instead they suggested the division of the Inner House into two separate courts. This would allow the judges to be better prepared and would speed up business. They also pointed at the idea of an intermediate court of appeal to stop unnecessary appeals to the Lords. They were adamant that the vacant judgeship should be filled immediately.⁴⁹ William Robertson was in fact appointed soon after. A candidate since 1801, he was close to Melville and his friends.⁵⁰ All plans to remodel the Court disappeared in the Winter of 1805-6 as crisis enveloped Pitt's government. Nevertheless, reform was now firmly on the agenda and the plans of the next government were very different.

By the last days of 1805, Britain's international position was much as it had been at the end of Pitt's first ministry. The nation was secure behind its navy but Britain was almost powerless

to intervene on the continent. This situation was confirmed in early December when the Austro-Russian armies were smashed at Austerlitz and effective continental opposition to Napoleon ceased. At home, Pitt now had a parliamentary majority so narrow as almost to be meaningless. The pressures of this desperate situation, combined with years of overwork and alcohol abuse, finally broke him. After two months illness, he died on 23 January 1806. Melville and his wife were distraught at the loss of their old friend and to this was added Melville's realisation that he would have to face his impeachment alone.⁵¹

The remnants of Pitt's Cabinet resigned and after some attempts to avoid the inevitable, the King asked Grenville to form a government. This took office in February, with Grenville at the Treasury, Spencer as Home Secretary and Fox as Foreign Secretary. Sidmouth's friends were also included but the Pittites, once Grenville's allies in office, were not invited to participate. This exclusion was considered a great insult to Pitt's memory, not least by Melville, and it influenced the Pittites' attitude to the new ministry.⁵² Yet paradoxically the Pittites for some time believed that Grenville would eventually have to turn to them to protect him from the radical plans of Fox's followers and this wait for the call also conditioned their actions.⁵³

The major decisions of the new government regarding Scotland were made in February and Melville, convalescing at Bath after a short illness, was almost a bystander. Before knowing that Pitt's friends were excluded, Melville had wanted the King to form a strong government, including Fox and Grenville. He felt that it should

be supported by everybody. Only if this government then attacked his friends would he support systematic opposition and in this event, with his Scottish allies, he had no doubt of success.⁵⁴ At the formation of the new administration, Lord Moira was given the Ordnance and he also claimed to have the management of Scotland. Even as Pitt's ministry had seemed to be falling in January, Moira expecting high office, had tried to recruit Melville's aid.⁵⁵ Now he renewed his attempts. If Melville and his friends supported government, Moira as manager would only allow a few sackings of Scots office holders to reward "the most hungry" of the Scots Whigs. Otherwise Melville's friends would not be disturbed.⁵⁶ Moira lost little time announcing this to the Scots MPs, informing them that he would be "a father" to them, as Melville had been.⁵⁷ Melville's reaction was cautious. Unwilling to dabble in politics while his prosecution was pending, he was aware that Moira could have little influence in Scotland without his support.⁵⁸ He wrote a letter ostensibly showing that he would acquiesce in any temperate government of Scotland by Moira.⁵⁹ Privately he prepared for a period of retreat, even contemplating the surrender of the Edinburgh seat to Henry Erskine⁶⁰ and he began to calculate how his friends might stand if they could not reach accommodation with government.⁶¹

Other conditions were also coming into play. By now the English Pittites had resolved to act together in a body. Unless their interests were attacked or questions were agitated hostile to Pitt's principles, they would generally support government. In this they wanted Melville's Scots friends to join them.⁶² Long

opposed to the idea of factious opposition and to the concept of party, this strategy appealed to Melville. He believed that eventually the group of Pitt's followers would split up⁶³ but meantime he avowed a wish to associate with any of Pitt's friends who might feel obliged to keep together to protect Pitt's name and the principles for which he stood.⁶⁴ Still reprobating party politics,⁶⁵ he was nevertheless taking his share in one of the major developments of the period, the gradual evolution of a British Tory party, gathered around the memory of Pitt. A few days later he wrote "Our Scotch friends must be the last to abandon that standard".⁶⁶ It is clear that Melville regarded his Scottish allies - Buccleuch, Dalkeith, Hopetoun and the rest - as a strong group. He had little fear that a hostile government could injure them and he saw them as gathered together upon principles rather than for the pursuit of political advantage.⁶⁷ This confidence explains the apparent equanimity with which he faced the prospect of Lauderdale managing Scotland.

Melville and his son were agreed on all this and on 10 February Robert Dundas informed Moira that the Scots Pittites would be acting with their English brethren and that if government should split, they would support Grenville.⁶⁸ Moira misunderstood this, believing it constituted a refusal to support government. Unwilling to become involved in expulsions of Melville's friends - inevitable if they opposed government - he decided to 'resign' as Scottish manager. Privately, he offered to help protect some of Melville's allies from the Foxites.⁶⁹ Moira's withdrawal was no real upset to either Melville or his son, neither of whom had been convinced

that he really would have the management of Scotland.⁷⁰ Their coolness ended Moira's plans. It is clear that he had averted a purge of Melville's friends from their offices in the first days of the government⁷¹ and the actions of Melville and his son were not wholly approved by their Scots allies, who now feared that Scotland would be managed by Lauderdale.⁷² This did not happen. On 12 February, William Dundas was preparing to meet Grenville⁷³ and the next day Robert Dundas knew that Grenville was not going to commit Scotland to Lauderdale.⁷⁴ A little later, on 24 February, William Dundas had a meeting with Grenville at which he detailed the attitude of Melville's friends to government. Grenville indicated that he had no plans for a general sweep of Scottish placeholders and that Lauderdale would not be his sole adviser.⁷⁵ Grenville and Spencer had in fact decided to keep the management of Scotland in their own hands.⁷⁶ Here, as far as Melville's friends were concerned, matters rested. They knew that the activities of the English Pittites might draw them into open opposition and Melville feared that Fox's activities might have a similar effect.⁷⁷ For a while, however, there was peace.⁷⁸

The decision by Grenville and Spencer to retain Scottish patronage in their own hands was not to the satisfaction of the Scottish Foxites. Lauderdale, the Marquis of Douglas, Moira and Stafford had collectively suggested the measures necessary in Scotland and this had included the replacement of Melvillite office holders.⁷⁹ Lauderdale provided a list of these on 12 March⁸⁰ but Grenville - probably to Moira's quiet relief - chose

not to act.

Initially the only changes were in the law. While Spencer had private reservations⁸¹ the elevation of Henry Erskine to be Lord Advocate in place of Montgomery was inevitable. The Solicitor General's appointment was more problematic and the replacement of Blair with the intemperate John Clerk was made over the strongest protests from Justice Clerk Hope.⁸² In the Court of Session Lord Methven, who had died in January, was replaced by the Foxite Charles Hay, now Lord Newton.

Grenville was under some pressure from his Scottish allies to make at least some changes and attention quickly focussed on Melville's relatives Alexander MacLean the Receiver General and George Buchan, the Stamp Solicitor. Melville was relatively unconcerned at the prospect of their dismissals but the Justice Clerk, then in London, protested "that there was something so unhandsome & revolting in the time [sic] of doing this, when Lord M's back was at the wall...".⁸³ This intervention seems to have been effective, for the two were not removed till later. Hope also learned that Grenville and Spencer were disposed to interfere as little as possible in Scottish elections. Clearly the Scots Whigs wanted more than this. Some rewards were more easily bestowed, and Breadalbane, Cassillis, Eglinton and Lauderdale each received British peerages. Grenville had to reject a request that Sempill be restored to the army and his cashierment of 1793 reversed.⁸⁴

The position of the Scottish Whig party was, as we have noted, stronger than it had been for some time. The families of Hamilton,

Argyll (from May 1806), Cassillis and Eglinton were led by Whigs. Bute and Breadalbane, long Portlandites, lent their support to the new administration and there were other supporters among the nobility including Elgin, Selkirk, Sempill and Stair. Most were Foxites, and with the exception of the Stafford (Sutherland) family there was virtually no Grenville party in Scotland.⁸⁵

Fox and Grenville could also count on the general support that Scots could be relied on to give to the government of the day. Galloway, long disenchanted with Melville, supported government totally, on the basis that it was the King's administration.⁸⁶ Queensberry supported government on a similar basis. Several MPs were like Colonel Dickson, sitting for the Linlithgow Burghs, who "supports the present administration (as he did the last)".⁸⁷ Given that Melville's friends were not in outright opposition to government, a strange truce could prevail in Scottish politics. Thus Melville's relative, Sir Charles Ross, could profess support for administration even while he opposed friends of government in his local politics.⁸⁸ There were some embarrassing defections from the ranks of Melville's friends. William McDowall of Garthland, indebted to successive governments for loans on his West Indian estates, would have been obliged to give Grenville some support. Instead his support was enthusiastic and he even tried to persuade Grenville to give him the Keepership of the Privy Seal, held by Melville.⁸⁹ Later he advanced a bill to alleviate his debts at the expense of his sureties, who included a furious Chief Baron Dundas.⁹⁰ Altogether more humiliating was the conduct of William Dundas. Even as Pitt's

administration was winding up, he had obtained the promise of a reversion of an office held by his brother the Chief Baron. This was bad enough in Melville's view, but he had no sooner received it, than he signalled to Pitt's friends that he felt bound to adhere to the politics of the Staffords, whose Sutherland seat he sat for. Despite his protestations, he was in effect separating himself from the Pitt party. Melville was livid. It was a disgrace on William and he was removed from the family's confidential councils.⁹¹

Grenville's policy of tolerance, of not besieging the Scots Pittites provided that they did not oppose government, was frustrating to the Scots Whigs. They could see that people like Sir Charles Ross and James Brodie of Brodie, another apparent convert, were likely to be only fairweather friends. They could only look askance when, for instance, Grenville indicated to Lauderdale in April that he would not countenance plans to unseat Abercromby in Edinburgh, nor would he help the Foxite William Maule in his attack on the sitting MP for the Montrose Burghs, a Melvillite but also a government supporter.⁹² The fears of the Scots Whigs were confirmed by the result of Melville's impeachment.

The Select Committee investigating Melville's case had taken much evidence since July 1805, including some that showed not only that he had received loans from Alexander Trotter but that he must also have been aware of Trotter's misuse of public money.⁹³ In the end, the managers of the impeachment reduced this evidence to ten charges against Melville.⁹⁴ Melville was angry at the extent

to which the investigators had examined the most innocuous of his private affairs. Worse, he was conscious that despite a public perception that he was "wallowing in wealth", the projected legal expenses were already beyond his means.⁹⁵ He had never been rich and most of his costs had to be met by a massive loan from Hopetoun.⁹⁶ He never saw his impeachment in any light other than as a political "persecution" and nowhere in his intimate correspondence with his son is there even a suggestion that he saw himself guilty of any impropriety. His friends had always regarded him as incompetent in his personal finances and attributed his problems to this.⁹⁷ There is little doubt that he was afraid of revelations about his use of secret political funds and that this lay at the heart of his refusal to discuss some of his expenditures. Yet it is unclear whether this refusal stemmed from fears that discussion would hurt him personally or that it could damage public policy.⁹⁸ The power of Fox and Sidmouth in the new government convinced Melville that his prosecution would be extended and expensive and that the Lords might not give him a fair hearing.⁹⁹ Robert Dundas discussed all this with Grenville on 10 March and Grenville agreed to ensure that the trial was not delayed. Grenville himself had avoided taking part in the proceedings against Melville but he did not feel at liberty to dictate his wishes to colleagues. "It is evident therefore", reported Melville's son, "that there is no chance of its being made a government question in your favor [sic], & the utmost we can expect or attempt is to neutralize them".¹⁰⁰

The trial was held in Westminster Hall, from 29 April to 17 May and judgement was pronounced on 12 June.¹⁰¹ Melville was

defended by, among others, the Whig William Adam and the defence was skilful, demonstrating repeatedly that Melville personally had broken no law. His friends were concerned. Lord Kellie wrote, "my mind cannot be easy - seeing so many doubtfull [sic] folks among us!"¹⁰² and he despaired at some of Melville's supposed supporters who did not stay for the end of the trial.¹⁰³ In fact the final votes by the peers saw Melville acquitted on all the charges, but the majorities were lowest on the two that alleged his connivance at Trotter's misuse of funds.¹⁰⁴ This effectively meant that the suspicion of Melville's guilt lingered and the stain was never effaced. This was not immediately apparent, however. Melville was jubilant and a large part of the Scottish political nation joined in celebrations. Melville's nephew reported,

"I really believe no event almost ever occurred which has excited such warm & general feelings of joy in Scotland. The Scotch papers will show you part, & but a part of the expressions of rejoicing in public".¹⁰⁵

The rejoicings included a well-attended public dinner in Edinburgh and there was also a general illumination of the city.¹⁰⁶ The one major loser from Melville's acquittal was Lord Moira. Having early described the impeachment as unjust, he had voted against Melville in the Lords.¹⁰⁷ His association with Melville's friends dropped stone dead.

These celebrations were a further shock to the Scots Whigs and they again pressed for a purge of Melville's friends from their offices.¹⁰⁸ MacLean and Buchan were finally replaced in their revenue posts by two Whigs, Sir William Cunynghame and James Gibson.

Nonetheless on 28 June, the Whig contender for Edinburgh, James Mansfield, lamented:

"... the Melvellits [sic] are more high than you almost can imagine and unless ministers means [sic] to have a Melvillite parliament returned they must take stronger measures than they yet seem disposed to do, it is really most distressing to think of the scrapes they have brought all their friends into by their ill timed moderation ... However we have accounts today that the rejoicings in Scotland for the acquitted felon has [sic] roused them. I shall believe it when I see them act".¹⁰⁹

The vote of congratulations to Melville by the Society of the Writers to the Signet was the prompt for Lord Douglas to write to Grenville about "the sensation a late acquittal has excited in the metropolis of Scotland" and to press for the long proposed dismissals. In particular he pointed at the improper conduct of Robert Dundas, as Keeper of the Signet, involving that Society in politics.¹¹⁰ Grenville's response was to restate his position, that Scotland should not be governed as a separate part of the empire, but that it should be ruled directly by ministers in London. He was determined to rule in a spirit of moderation, although showing countenance only to those who were friendly to government.¹¹¹ This was not the reply that Douglas wanted. Privately Lord Spencer began to think that government might indeed have to give more aid to the Scots Whigs.¹¹² One immediate outcome was the appointment of Lauderdale in place of Gordon as Keeper of the Great Seal.

Government subsequently agreed to some sort of a wider purge of Melville's friends¹¹³ but it had not taken place by 6 August when Henry Erskine again pressed it. He specifically asked for four removals from law offices and advised that "their being

speedily made is absolutely necessary for changing the political current in this part of the kingdom".¹¹⁴ On 18 August Erskine was again pushing Spencer to make changes as "the best means of checking the prevailing influence of Lord Melville and his party". He reported that the earlier removals of Buchan and MacLean had been explained away by Melville's friends, who variously claimed either that Melville would soon form a political alliance with Grenville, or that government was not strong enough to consider removing Melville's friends. Spencer was given a brief history of the political division in Scotland between Dundas and his opponents in the years after 1784. Some of Melville's friends now supported government:

"Others affected a moderation to avoid the consequences of direct opposition; but the greatest part have hoisted along with Lord Melville the standart [sic] of defiance and the real friends of administration are confined to the original opposers of Lord Melville".

In this way, Erskine proceeded to explain that the Scottish Foxites were loyal to government "as a united cabinet". It was essential that those appointed after the removals should be unconnected with Melville. Even apparent converts should not be trusted. Erskine detailed his candidates, whose appointment would "give a check to a formidable opposition which cannot be defeated but by measures of the most marked as well as decided hostility".¹¹⁵ By early September, Spencer and Grenville were agreed that it was time for removals¹¹⁶ but a month later Erskine was still complaining of the strength of the Melville interest and the manner in which

they misrepresented their relationship with government in order to maintain their influence in Scotland.¹¹⁷ For whatever reason, Grenville and Spencer had done nothing further regarding Scotland before parliament was dissolved.

The dissolution was a shock to Melville, who saw it as an indication of the extent to which the King was now subdued by "a sturdy faction, acting under the auspices of the apparent heir of the Crown".¹¹⁸ It was equally unwelcome to Henry Erskine:

"This early dissolution will play the deuce with us in Scotland. I hope the loss will be made up in England".¹¹⁹

There were contests in twelve Scottish seats¹²⁰ and extensive activity in over a dozen others. Much of it involved struggles between Melville's friends and the Scots Whigs and from the Whig viewpoint, the results fully reflected Grenville's early temporising policy towards the Dundas interest.

The Aberdeenshire contest between Ferguson of Pitfour and Hay of Rannes was rooted in an old county feud, with the Gordons backing Pitfour and Lord Fife supporting Hay. Hay enjoyed government support and in the end the poll was close, with Ferguson winning by only two votes.¹²¹ In Banffshire, Sir William Grant easily overcame Sir James Duff, who was supported by Lord Fife and government.¹²² Further south, the Whig Robert Ferguson of Raith had canvassed Fife since February and Melville advised Robert Dundas to support William Wemyss's candidate.¹²³ Wemyss stood himself, hoping to profit from his relationship to the Grenvillite Lord Stafford. Grenville in fact was persuaded

of his unreliability and government support ultimately secured the county for Raith in a victory that gave the Whigs much satisfaction.¹²⁴ The Lanarkshire contest between Sir Charles Douglas, backed by Melville and Buccleuch, and Lord Archibald Hamilton, was an easy victory for the latter, a staunch Whig. Similarly the Hamilton family *overcame* a challenge for the Linlithgow Burghs led by Sir Charles Ross against their candidate William Maxwell. In both seats, however, the Hamiltons felt that Grenville had not been as forceful in their support as he might, particularly after their warnings about Ross's likely duplicity.¹²⁵ In West Lothian, Henry Erskine renewed his old claim to the county and he had government support.¹²⁶ It did him no good against the Dundas-Hopetoun interest and he latterly turned his attentions to the Dumfries Burghs. Here Buccleuch backed Colonel Alexander Dirom, well disposed to Melville and inclined to support government.¹²⁷ Queensberry, belatedly hearing that Dirom did not consider himself connected to government, threw his weight behind Erskine.¹²⁸ This, with the support of the opportunist Provost Staig of Dumfries, carried the Burghs after a tight contest.¹²⁹ In Dumfriesshire itself, Queensberry's support guaranteed the success of Melville's relative, Captain William Johnstone Hope.¹³⁰ This support was given despite government's wish for the success of Hope's opponent, Sir John Lowther Johnstone.¹³¹

The Aberdeen Burghs were contested by James Farquhar and John Ramsay, a Foxite, who won despite government's declared neutrality.¹³² In the Stirling Burghs Sir John Henderson evicted the Melvillite

Alexander Cochrane¹³³ while in the Glasgow Burghs a complicated contest saw Archibald Campbell defeating the ministerial candidate, Boyd Alexander.¹³⁴ The Tain Burghs contest was essentially a local feud between Sir John Sinclair and Lord Seaforth, whose candidate won.¹³⁵

Elsewhere, several struggles did not come to a poll. Threats of opposition in Clackmannanshire led George Abercromby to leave his Edinburgh seat to secure his home county.¹³⁶ The attack did not materialise. The Whigs had early hopes for the Edinburgh seat but these were ruined by Grenville's failure to ostracise the Melville party. The Whig candidate could only bewail the fact that

"this procrastination has been fatal to my views, and has allowed the Melvellits [sic] to rivet themselves so fast in this city that I might as easily attempt to give the Hill of North a shove, as to attempt to move this city at present,...".¹³⁷

The Whigs contemplated opposing Robert Dundas in Midlothian but eventually decided against.¹³⁸ In Kincardineshire, a confused contest saw the Melvillites backing two successive candidates (one had to drop out) against the Whigs who successively fielded three (one died, one dropped out). In the end, William Adam carried it for government.¹³⁹ In Perthshire, Colonel Alexander Campbell canvassed against Graham of Balgowan. Government declined to take sides in the struggle and Campbell, although well disposed to Melville, did not have his support.¹⁴⁰ In the end, Campbell withdrew.

As Whig electoral manager, William Adam made a report on the Scots elections. A recent analysis of this has suggested that of

the MPs returned, 28 were government supporters, 14 were opposition and three were doubtful. It was a relatively poor showing and may even have exaggerated government support.¹⁴¹ The Scots Whigs, hindered by government's equivocal stance, had failed to break the entrenched Melville interest in the Commons.

Henry Erskine had initially been apprehensive about the extent of Melville's continuing influence with the peerage¹⁴² but the results of the peerage election of 4 December were more to government's satisfaction. Ministers circulated a list of sixteen candidates - a return to the old practice.¹⁴³ There was some confusion, in that one candidate, Kinnaird, initially declined to stand and was replaced by Saltoun.¹⁴⁴ Later he changed his mind and for a time seventeen candidates appeared to have government support.¹⁴⁵ Of these government candidates, eight were in the previous parliament.¹⁴⁶

Melville wrote to several peers with his own list of thirteen candidates, avowedly supporting them because they were friendly to the politics and principles of the late Pitt.¹⁴⁷ The confusion in the election that followed arose both from the fact that several candidates were on both lists, and from the government's insistence that its candidates should as far as possible exchange votes with their fellows, rather than with other candidates.¹⁴⁸ There is little doubt that the operation of this hurt Melville's friends. Some who were not on the government list found that others who were would not exchange votes.¹⁴⁹ Others of Melville's 'friends' tried to steer a neutral course.¹⁵⁰ Napier, loyal to Melville, was unhappy at what he perceived would be the effect of Melville's

letter. Melville responded that it would only influence the friends of Pitt, but he was afraid "that even in the exalted order of the peerage there are still more who look to the present powers, rather than to past services". Melville's letter would at least identify his and Napier's friends. A major problem arose from friends of Melville who, while well disposed to Pittite candidates would, from personal ties, also vote for certain other candidates. In effect those on the government list not only had the full advantage of acting as a party but could also benefit from a trickle of votes from Melville's allies. Melville could only advise that his friends should carefully supervise the exchanges and transfers of votes between them.¹⁵¹ The unusually high number of 24 candidates also contributed to making the contest unpredictable.¹⁵²

In the end, government was pleasantly surprised when fifteen of its candidates were elected. The sixteenth, Sempill, was unpopular with his fellows,¹⁵³ and Saltoun, who had trailed along after Kinnaird's re-emergence as a candidate, was latterly dropped entirely by government.¹⁵⁴ Of Melville's list only seven were elected and all but Lord Aberdeen were already on the government list. The remainder, including staunch Pittites such as Strathmore, Kellie, Haddington and Napier, were brushed aside.

The overall result of the 1806 elections - the survival of a large if damaged Melville interest - worried the Scottish Whigs but they had little justification for their fears. The fear, in the aftermath of Fox's death, that the English Tories were talking

to the King, had been the spur to Grenville to press George III to grant a dissolution as a decisive show of their influence on him.¹⁵⁵ The government had gained ground in England and this, combined with the belief that the King was now reconciled to his ministers, served to demoralise the Pittites in the South. This was also seen in Scotland, where Melville was reproached by a friend,

"I hear you return 30 out of 45 Scotch Members but with all that power, I fear you are a languid party".¹⁵⁶

Melville was repeatedly urged to come to London to join opposition, but he declined. He had no love for government after their attacks on him, but nor would he indulge in factious opposition. He had believed that the King had disliked his ministers but the King's allowing them to dissolve parliament had removed any such belief as a rational basis on which to conduct an opposition. Melville was angry with Grenville for his participation in the Prince's virtual usurpation of the Crown and he certainly had a disposition to speak out against the Prince. He was well aware that other politicians, mindful of the rising sun, might not be enthusiastic about following him in this.¹⁵⁷

Robert Dundas approved of his father's aversion to "contentious opposition" but felt that Melville should give some lead to his followers. He disliked the indiscriminate opposition of the Pittites but he did not think that the country would gain from their not attending parliament. He wanted Melville to concert with the leading Pittites and he shared his father's doubts about

making an issue of the Prince's activities. Unlike his father, he did not believe that enmities between the Pittites and the various parties in the government would necessarily be permanent and for his proof he pointed to the bewildering variety of alliances and unions that had taken place since 1782.¹⁵⁸

Melville had in fact already changed his plans. Spencer Perceval, now a prominent Pittite, had apprised him of the weakness and apathy among opposition. Perceval wanted Melville to come forward and to persuade his associates to attend parliament. As a postscript, Perceval wrote of the King's being surprised by Grenville's demand for a dissolution. Because the Pittites had not communicated any willingness to form an alternative government, no assumptions could be made about the King's attitude to Grenville based on his allowing the dissolution. Quite simply, the King had had no choice.¹⁵⁹ This letter, with the first detailed account he had had of the political scene for some months, was a revelation to Melville. He now felt obliged to come South to give some direction to his friends and it is clear that his motivation was the news of the circumstances in which the King had granted the dissolution. If the King's real opinion of his ministers was uncertain, this might give a wholly different complexion to the prospects of such Pittites as opposed government.¹⁶⁰ It would also allow Melville to oppose the King's government while remaining true to his principles of supporting the King's wishes in politics.

Initially Melville had thought that his son might lead his friends in criticising government for their mishandling of the

organisation of the volunteers for national defence, a subject that had certainly caused disquiet in Scotland.¹⁶¹ In fact the Scots Pittites were almost immediately presented with a focus for opposition much dearer to their hearts, when ministers at last began to proceed with their plans to reform the Court of Session in February 1807.

The Scottish Whigs were aware of failings in the Scottish revenue administration but their plans for reform had focussed almost exclusively on the legal establishment. Their radical solution to the manifest failings of the Court of Session was to remodel it along English lines, splitting it into three chambers with concurrent jurisdictions, bringing jury trial into civil causes, and introducing an intermediate Chamber of Review.¹⁶² It was Grenville who announced the plan in mid-1806 and he had discussed it with Lord Armadale.¹⁶³ The later bill was drafted by John Clerk, the Solicitor General, and Adam Gillies, a Whig advocate, with some advice from Lauderdale.¹⁶⁴ Grenville's outline proposals were actually in the hands of Edinburgh lawyers before ever he informed the judges, and this caused much offence.¹⁶⁵ It typified the Whigs' determination to prevent potentially obstructive judges becoming involved in the work, and in the coming months the Justice Clerk and others would repeatedly complain of being kept in the dark by Crown officials.¹⁶⁶ In June 1806, a Committee of the House of Lords resolved on the reform of Scottish civil justice and the Scots judges were duly informed.¹⁶⁷ Then the wrangling began. The bill was drafted over the Summer, with no apparent consultation with the judges or

with ex-Chancellor Eldon. The drafters had a reverence for English law forms and no small part of the outrage in Scotland came from the belief that they were attempting to abolish Scottish law.

When it finally appeared in February 1807, the bill was badly drafted and the objections to it were substantial.¹⁶⁸ The Chief Baron complained at length about not being consulted. He objected to the Chamber of Review and to the idea of three chambers, asserting that Scotland could not find talent enough to fill them. Of the bill generally,

"It seems to me to do, what your Lop.[sic] denies & disclaims - Abolish the law of Scotland, & introduce the law of England so far as regards jury trial, in all cases whatever; with an implied, obscure & very doubtful exception of such actions only as are strictly feudal, & affect the real rights & estates of the landed interest of Scotland".¹⁶⁹

Charles Hope was similarly blunt.¹⁷⁰ Before seeing the bill, he warned that jury trial in civil causes would be unpopular in Scotland. In commercial disputes it would be hard to find jurors who were not in one way or another connected with the parties involved.¹⁷¹ He preferred a two chamber system for the Court, warning that the three chamber plan was generally regarded as "a job ... merely to create another President".¹⁷² Nor did he support the review court, designed to reduce appeals to the Lords. It would merely be another opportunity for delaying cases and would not function equitably. Further, it would violate the Treaty of Union. Grenville politely brushed Hope aside¹⁷³ and when Hope finally saw the bill, he had little time to comment. His verdict was pointed:

"As the bill stands at present, I have no hesitation to say, that I am decidedly of opinion, that the objections to it are insurmountable, and I am positive that I could easily convince your Lordship".¹⁷⁴

Grenville was determined to press matters and left only three weeks between the first and second readings of the bill.¹⁷⁵

Meetings of the Writers to the Signet and of the Advocates were held to consider it, and government worked hard to 'pack' them.¹⁷⁶

In fact, the Faculty was deeply divided and while it voted approval of the reforms proposed, the Advocates only narrowly voted for the principle of a chamber of review, with the minority including a number of the younger Whig lawyers. An apparent majority in favour of dividing the Court into three chambers actually disguised fairly equally divided opinion.¹⁷⁷

The Scottish judges also differed. Eleven agreed to send a memorial to the Lords detailing objections to the bill but the four Whig judges disagreed.¹⁷⁸ The senior Scots judges were summoned to London to state their case but were followed hotfoot by three dissenters.¹⁷⁹

By now it was beginning to dawn on Grenville that all was not well with his plans. Following a series of particularly persuasive speeches by Eldon, he announced on 18 March that the clauses introducing trial by jury would be removed from the bill. In fact it was already too late, for Grenville was shortly removed from office. Reform did not go away, but in the long run perhaps the most important effect of Grenville's endeavours was to foster a divergence between the older Scots Whigs under Erskine

and Lauderdale and the younger, under Francis Jeffrey. This division would become much clearer over the next decade.¹⁸⁰

The Scots Tories could take no credit for the demise of Grenville's bill. Melville had spoken against it¹⁸¹ but more time would have let it be passed comfortably into law by the government majority. It would have been a perfect example of a Scottish group using English support to foist a measure of doubtful popularity on their fellow countrymen.¹⁸²

Grenville's fall - "the mucking of Geordie's Byre" Huntly called it¹⁸³ - was quite sudden and had nothing to do with the opposition. The King, having blocked his ministers' plans for limited Catholic emancipation, demanded an assurance that the matter would not be raised again. They would not give this assurance and resigned on 18 March.

It had been a year of very mixed fortunes for Melville and his friends. Pitt's death had been a hard blow but paradoxically it had served to strengthen their links with their English allies. Grenville and Spencer had never fully faced up to the problem of what to do with Scotland and against all the evidence they had persisted for too long in a policy of neutrality to Melville, reining in their natural allies, the Scots Whigs. In the end it was unimportant in British terms, since government's English majority was large enough to allow the luxury of indulging a significant body of opposition in Scotland. Government's initial neutrality is part of the explanation for the survival of so strong a party around Melville but attention has also to be paid to Melville's own explanation; twenty years of support for William Pitt's government

and principles had done much to weld together a formidable body of the most powerful men in Scotland. Even for a determinedly hostile government, it would have been a tough nut to crack. The Scots Pittites never forgave Grenville for the few attempts that he did make to disturb them.

For Melville it had been a miserable interlude. There is little reason to doubt that even in 1804 he would have preferred to have remained in retirement. Now, not only was his old friend dead but his reputation had been brought low by the impeachment. With feeling he would describe the outgoing administration as "that abominable vermin"¹⁸⁴ and he looked to its successor for vindication.

CHAPTER SEVEN: REFERENCES

1. The detail of these events can be followed in Stanhope, Life of Pitt, IV, pp. 164-76. See also Christie, Wars and Revolutions, p. 263.
2. For a later statement of Melville's disapproval of the Prince's activities in aiding the Talents Ministry, see SRO, Melville, GD51/1/195/20, Melville to Robert S. Dundas, 7 January 1807 (copy). He began collecting his thoughts on the problem generally early in 1806: SRO, Melville, GD51/1/89/2, "Strictures on the exercise of Political Influence by an apparent heir of the Crown" [January 1806].
3. SRO, Buccleuch, GD224/689/2/2, Melville to Buccleuch, 8 May 1804.
4. The precise details are unclear. HMC Hastings, III, p. 232, Colonel John McMahon to Moira, 10 May 1804, shows that the Prince had publicly spoken for Moira (then in Edinburgh) saying that Moira would join the Prince in supporting the Fox-Grenville opposition. It is not clear that this really was Moira's intent. By 12 May, Pitt was decided not to approach him: SRO, Hope of Luffness, GD364/1/1137, Pitt to Melville, 12 May [1804]; NLS, Melville, Ms 1041, ff 97-8, Melville to Moira, 13 May 1804 (copy).
5. Pitt papers, PRO 30/8/146, ff. 72-83, Charles Hope, Lord Advocate to [Melville], 22 May 1804.
6. SRO, Melville, GD51/1/195/28, Memorandum of 16 August 1807, in which the formation of Pitt's government is discussed; SRO, Buccleuch, GD224/689/2/2, Melville to Buccleuch, 8 May 1804.
7. SRO, Buccleuch, GD224/30/6, "Memoir by Henry Visc[ount] Melville May 6 1809". In compensation, Melville received an increase to his salary as Keeper of the Privy Seal: SRO, Melville, GD51/1/212/1-3, correspondence between Melville and George III, 19-20 July 1804.
8. Pitt papers, PRO 30/8/160, ff. 269-70, Montrose to Pitt, 14 May 1804.
9. B.W. Hill, op.cit, pp. 183-4; Ziegler, Addington, p. 227.
10. Thorne, HP, I, p. 85, gives the details.
11. Some of these changes in noble loyalties are discussed in chapter two above.
12. J.J. Sack, The Grenvillites 1801-29 Party Politics and Factionalism in the Age of Pitt and Liverpool (Illinois, 1979), p.83.
13. Sack, op.cit, pp. 81-2.
14. DCRO, Sidmouth, 152 M, C1802, OZ 41, Dundas to Addington [n.d. but September 1802], discusses the Prince's party. By early 1805, opposition, more confident of coming to power, were starting to seduce government peers with promises of British peerages: Pitt papers, PRO 30/8/107, ff. 58-9, Aboyne to Pitt, 25 April 1805.

15. SRO, Buccleuch, GD224/30/4/24, Melville to Lady Sutherland, 21 May 1804 (copy). This and a copy letter of the same date to the Princess of Wales (ibid) gives Melville's views on the old sport of accusing him of undue favouritism to Scotsmen.
16. The great bulk of naval patronage applications for this period can be seen at SRO, Melville, GD51/2/1091/bundles 1-13. As late as October, Melville had to report to Admiral Prescott that "it is well known that no promotion whatever has taken place since I have presided at the Board of Admiralty ... I have thought it my duty, while so many captains and commanders are unemployed, to resist all solicitations for rank" (ibid, GD51/2/1091/4/145-6).
17. These lists can be seen at SRO, Melville, GD51/2/1091/13/100-118.
18. The Treasury's deliberations with the Barons of Exchequer over how to deal with the mischievous assessed taxes legislation of 1803 can be followed in SRO, Exchequer Reports, E307/12.
19. The Receivers General were all slated to have a reduction in their emoluments: see BL, Holland House, Add Mss 51471A, "Officers Holding places in Scotland during pleasure, - proposed to be removed". ff. 2-3, 7-9.
20. SRO, Melville, GD51/1/197/25, Kellie to Melville, 14 September 1804.
21. NLS, Melville, Ms 3, ff. 48-9, Robert S. Dundas to Melville, 26 October 1804.
22. NLS, Melville, Ms 3, ff. 58-9, Kellie to [Melville], 31 October 1804.
23. The main body of Melville's papers concerning this election is at NLS, Melville, Ms 3, ff. 34-83. Moira was initially, and incorrectly, suspected of being involved in Lauderdale's canvass.
24. This is discussed in chapter five above.
25. As recently as August 1804, Montrose had offered to resign his two offices if they could be used to help bring Grenville and his friends into government: Pitt papers, PRO 30/8/160, ff. 271-2, Montrose to Pitt, 5 August 1804.
26. Dacres Adams papers, PRO 30/58/5/111, 112, letters of Montrose to Pitt, 21 November 1804; Pitt papers, PRO 30/8/160, ff. 273-4, same to same, 24 November 1804.
27. The two in fact settled their differences before the meeting arranged at Pitt's house: Pitt papers, PRO 30/8/160, ff. 279-80, Montrose to Pitt [n.d. but November or December 1804].
28. Pitt papers, PRO 30/8/157, ff. 305-8, Melville to Pitt, 29 December 1804.

29. Aspinall, Later Correspondence of George III, IV, p. xxii, has an account of the negotiations.
30. B.W. Hill, op.cit, p. 184.
31. For the background to Melville's impeachment, I have relied on Matheson, Dundas, pp. 344-60.
32. EUL, Laing Mss, Div. II, 500, Dundas to Robert Dundas, Lord Advocate, 30 April 1798: "Several of those Trotters are getting rich".
33. SRO, Melville, GD51/1/85, Colonel Alexander Hope MP to Melville, 9 May 1805. Hope was, it will be remembered, an intimate of Pitt's.
34. SRO, Hope of Luffness, GD364/1/1156/4-7, Melville to Colonel Alexander Hope MP, 10 May 1805.
35. Thorne, HP, III, p. 642.
36. There is little or no surviving correspondence between Pitt and Melville for this period. I incline to the account of Pitt's motives given in Stanhope, Life of Pitt, IV, pp. 277-8. HMC Fortescue, VII, p. 258, Thomas Grenville to Lord Grenville, 15 April 1805, hints that Pitt was trying to distance himself from Melville. It seems unlikely. Some of Pitt's friends were certainly very critical of Melville "as having put the seal to the ruin of Pitt by the scrape he has got into" (ibid, p. 259, same to same, 20 April 1805).
37. Aspinall, Later Correspondence of George III, IV, pp. 335-6, cites several contemporary accounts of the debate and of Melville's speech. Some observers felt that the House had inclined to Melville until he made his unfortunate pronouncements.
38. SRO, Buccleuch, GD224/30/6, "Memoir by Henry Visc[ount] Melville May 6 1809".
39. Ziegler, Addington, pp. 238-41; BL, Liverpool, Add Mss 38241, ff. 130-2, Sidmouth to Hawkesbury, 27 April 1805, discusses Sidmouth's developing disillusion with Pitt's conduct.
40. EUL, Laing Mss, Div. II, 500, Charles Hope, Lord Justice Clerk to Robert Dundas, Lord Chief Baron, 10 October 1805.
41. Cockburn, Memorials, p. 217.
42. Thorne, HP, I, pp. 85-6.
43. These are discussed in chapter five above.
44. HMC Fortescue, VII, p. 300, Thomas Grenville to Lord Grenville, 30 August 1805.

45. There is a group of material relating to the Perth election at SRO, Melville, GD51/1/198/21/25-37. Scott was the son to Melville's old friend the East India Company director. Wedderburn had married into the Hopetoun family.
46. Pitt papers, PRO 30/8/146, ff. 86-9, Charles Hope, Lord Justice Clerk to [Pitt], 11 October 1805.
47. SRA, Campbell of Succoth, TD219/56/1, Hawkesbury to Robert Dundas, Lord Chief Baron, 19 September 1805. Hawkesbury also discussed the subject with the Lord Advocate at about this time: Aspinall, Later Correspondence of George III, IV, pp. 359-60, Hawkesbury to Sir James Montgomery, Lord Advocate, 30 September 1805 (copy).
48. SRA, Campbell of Succoth, TD219/56/1, Robert Dundas, Lord Chief Baron to William Dundas, 11 October 1805 (copy) and ibid, same to Ilay Campbell, Lord President, 12 October 1805.
49. NLS, Melville, Ms 12, ff. 57-9, Ilay Campbell, Lord President, Charles Hope, Lord Justice Clerk and Sir James Montgomery, Lord Advocate to Hawkesbury, 15 October 1805 (copy); see also EUL, Laing Mss, Div. II, 500, Charles Hope, Lord Justice Clerk to Robert Dundas, Lord Chief Baron, 10 October 1805.
50. For Robertson, see BL, Pelham, Add Mss 33109, ff. 7-10, Colonel William Fullarton MP to Pelham [n.d. but ante 3 January 1802].
51. For Melville's grief, see BL, Huskisson, Add Mss 38737, ff. 123-30, Melville to Huskisson, 28 January [1806]. Pitt's last letter to Melville, announcing the Austrian armistice, is dated 3 January and is printed in Stanhope, Life of Pitt, IV, p. 366.
52. For Melville's view of the Pittite exclusion, see NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 3 February 1806.
53. For the English Pittites, see SRO, Melville, GD51/1/90/3, William Huskisson to Melville, 9 February 1806. Melville was also aware of a prospect of Grenville's turning to the Pittites: SRO, Melville, GD51/1/195/13, Melville to Robert S. Dundas, 12 February 1806 (copy).
54. NLS, Melville, Acc 9140, letters of Melville to Robert S. Dundas, 31 January [1806] and to Charles Hope, Lord Justice Clerk, 31 January 1806 (copy).
55. NLS, Melville, Ms 9370, ff. 93-8, Charles Hope, Lord Justice Clerk to Melville, 24 January 1806; ibid, Acc 9140, Melville to Hope, 31 January 1806 (copy).
56. SRO, Melville, GD51/1/195/5, Robert S. Dundas to Melville, 3 February [1806].
57. NLS, Melville, Acc 9140, Colonel A. Cochrane Johnstone MP to Melville, Thursday [endorsed 20 February 1806, but almost certainly 6 February].

58. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 4 February [1806] (copy).
59. SRO, Melville, GD51/1/195/7, Melville to Robert S. Dundas, 5 February 1806 (copy).
60. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 6 February 1806.
61. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 8 February [1806], with enclosure.
62. There is a clear statement of the plans of the English Pittites in SRO, Melville, GD51/1/90/4, William Huskisson to Melville, 10 February 1806.
63. See SRO, Melville, GD51/1/195/13, Melville to Robert S. Dundas, 12 February 1806 (copy).
64. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 6 February 1806: "For if the body of Mr Pitt[']s friends are resolved to keep together and without either avowedly opposing or supporting government[,] act systematically on the principle of doing what they feel he would have done if he had been alive, I should certainly wave every other consideration to throw all the weight I could into that scale. I know of no other way in which they who revered him, can show a just regard for his memory".
65. On 28 February Melville would write a long denunciation of the mischief and danger threatened to the country by party politics: NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 28 February 1806.
66. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 28 February 1806.
67. Melville was always prepared to boast about the strength of the alliance around him and did it again in the letter cited in note 66 above. It is fair to say that not all his associates were so confident.
68. SRO, Melville, GD51/1/195/10, Robert S. Dundas to Moira, 10 February 1806 (copy).
69. SRO, Melville, GD51/1/195/12, Moira to Robert S. Dundas, 11 February 1806 (copy).
70. SRO, Melville, GD51/1/195/9, Robert S. Dundas to Melville, 11 February 1806; NLS, Melville, Acc 9140, letters of Melville to Robert S. Dundas, 13 and 14 February 1806.
71. SRO, Melville, GD51/1/195/8, Robert S. Dundas to Melville, 6 February 1806. This shows that Moira overset plans to dismiss Gordon from the Keepership of the Great Seal. He claimed to have stopped other removals: SRO, Melville, GD51/1/195/12, Moira to Robert S. Dundas, 11 February 1806 (copy).

72. NLS, Melville, Acc 9140, Charles Hope, Lord Justice Clerk to Robert S. Dundas, 15 February 1806, records the disappointment of Hope, Buccleuch, Dalkeith, Hopetoun and Haddington at the turn of events. Hope was still moaning days later: Hopetoun House, Hopetoun muniments, NRA(S) Survey 888, bundle 1237, letter of Hope to Earl of Hopetoun, [25 February 1806]. The Lord Chief Baron was equally unsure of his uncle's actions: SRO, Melville, GD51/1/90/5, Robert Dundas, Chief Baron to Melville, 17 February 1806.
73. SRO, Melville, GD51/1/195/11, Robert S. Dundas to Melville, 12 February [1806].
74. SRO, Melville, GD51/1/195/14, Robert S. Dundas to Melville, 13 February 1806.
75. SRO, Melville, GD51/1/195/18, Robert S. Dundas to Melville, 26 February 1806.
76. SRO, Melville, GD51/1/195/19, Robert S. Dundas to Melville, 10 March [1806]; Aspinall, Later Correspondence of George III, IV, pp. xxviii-xxix, quoting Lord Minto; Sack, op.cit, p. 96.
77. SRO, Melville, GD51/1/195/18, Robert S. Dundas to Melville, 26 February 1806; NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 28 February 1806.
78. There is a good summary of the negotiations and of the attitudes of the Scots and English Tories in Hopetoun House, Hopetoun muniments, NRA(S) Survey 888, bundle 1237, Brigadier General Alexander Hope MP to Hopetoun, 19 February 1806.
79. BL, Grenville, Add Mss 59263, ff. 79-80, Marquis of Douglas to Grenville, 25 June 1806; Thorne, HP, I, p. 87.
80. B1, Grenville, Add Mss 59241, ff. 11-12, Lauderdale to Grenville, 12 March 1806. The lists themselves can be seen at BL, Holland House, Add Mss 51471, A and B.
81. Aspinall, Later Correspondence of George III, IV, p. 360, quoting a letter of Spencer to Grenville, late February 1806.
82. Ibid, IV, pp. 451-2, quoting a letter of Justice Clerk Hope to Spencer, 7 March 1806.
83. NLS, Melville, Acc 9140, Charles Hope, Lord Justice Clerk to Robert S. Dundas, 11 April 1806. It had also been planned to appoint Lord Sempill as Chamberlain of Ettrick Forest in place of a friend of Buccleuch.
84. BL, Grenville, Add Mss 58941, ff. 39-40, Lauderdale to Grenville, 18 April 1806; ibid., f. 41, Grenville to Lauderdale, 18 April 1806 (copy).

85. Thorne, HP, I, p. 89, talks of a Grenville party in Scotland. This seems incorrect. Charles Long wrote to Melville, 1 December 1806: "You say in Scotland the name of Grenville is hardly known & the interest opposed to yours is that of the Foxites - it is very much so in Ireland ..." (SRO, Melville, GD51/1/108/1). What was seen in Scotland was a tension between the ministerial policies of Grenville and the pent up frustrations of the Foxites. Grenville's attitudes in effect acted as a harness on the Foxites rather than as an obstruction. In time, and particularly after Fox's death, some Scots felt able to support government where previously they had stood aloof and they might fairly be called Grenvillites. This categorisation should not be pushed too far, however. The most obvious example was Sir Hew Dalrymple Hamilton: SRO, Melville, GD51/1/104, Sir H. Dalrymple Hamilton to Melville, 25 October 1806.
86. SRO, Melville, GD51/1/198/28/6, Lord Garlies to Melville, 17 September 1806.
87. BL, Grenville, Add Mss 59263, ff. 22-4, Lord Archibald Hamilton to Henry Erskine, Lord Advocate, 20 September [1806].
88. BL, Grenville, Add Mss 59263, ff. 12-15, Henry Erskine, Lord Advocate to [?Grenville], 19 August 1806.
89. NLS, Melville, Acc 9140, Charles Hope, Lord Justice Clerk to Robert S. Dundas, 10 February 1806.
90. BL, Huskisson, Add Mss 38737, ff. 135-42, letters of Robert Dundas, Chief Baron to Huskisson, 12-22 July 1806.
91. SRO, Melville, GD51/1/195/16, Melville to Robert S. Dundas, 16 February [1806]. Melville felt that his nephew's excuse, that he was preserving his Sutherland seat, was inadequate, not least because the Stafford family, under an earlier agreement, were bound to continue it to him regardless of his politics.
92. BL, Grenville, Add Mss 58941, f. 46, Grenville to Lauderdale, 18 April 1806 (copy).
93. Furber, Dundas, pp. 159-62. Professor Furber used a transcript of shorthand notes of the committee's sittings.
94. For the charges and a full detail of the trial, see [Anon], The Trial by Impeachment of Henry Lord Viscount Melville For High Crimes And Misdemeanours Before The House of Peers In Westminster Hall... (London, 1806).
95. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 17 February 1806.

96. For this, see Hopetoun House, Hopetoun muniments, NRA(S) Survey 888, bundle 1236, Melville to Hopetoun, 15 July 1805.
97. SRA, Campbell of Succoth, TD219/6/369, Lord Dunsinnan to Ilay Campbell, Lord President, 24 April 1805; H.W. Thompson (ed.), The Anecdotes and Egotisms of Henry Mackenzie 1745-1831, (Oxford, 1927), p. 145. It is worth recalling that Pitt himself was an utter incompetent in handling his private finances.
98. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 7 February 1806.
99. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 2 February 1806.
100. SRO, Melville, GD51/1/195/19, Robert S. Dundas to Melville, 10 March 1806. See also Sack, op.cit, p. 83.
101. There are accounts of the trial in Matheson, Dundas, pp. 366-72; Furber, Dundas, pp. 163-5; and in Roger Fulford, Samuel Whitbread 1764-1815. A Study In Opposition (London, 1967), pp. 128-39.
102. EUL, Laing Mss, Div. II, 461/2, Lord Kellie to Lord Napier, 17 May 1806.
103. EUL, Laing Mss, Div. II, 461/2, letters of Kellie to Napier, 29 and 31 May and 3 June 1806.
104. These were the second and third charges. Matheson, Dundas, p. 371, prints the voting totals.
105. SRO, Melville, GD51/1/198/12/12, Robert Dundas, Chief Baron to Melville, 19 June 1806.
106. SRO, Melville, GD51/1/198/12/6 and 11, letters of Robert Dundas to Melville, 16 and 24 June 1806. Melville received hundreds of letters congratulating him on his acquittal. Many can be seen at SRO, Bonar, Mackenzie and Kermack, GD235/9/2.
107. SRO, Melville, GD51/1/195/5, Robert S. Dundas to Melville, 3 February 1806; SRO, Dundas of Arniston, RH4/15/6, letterbook 8, no. 42 B, Robert Dundas, Chief Baron to his wife Elizabeth, 26 June 1806.
108. SRO, Leith Hall papers, GD225/34/25/21, William Maule to Alexander Hay, 21 June 1806: "I, with some others have written letters to the Advocate (at his own desire) pressing the necessity of removing all the Melvillites immediately."
109. SRO, Leith Hall papers, GD225/34/25/22, James Mansfield to Alexander Hay, 28 June 1806.
110. BL, Grenville, Add Mss 59263, ff. 79-80, Marquis of Douglas to Grenville, 25 June 1806.
111. BL, Grenville, Add Mss 59263, ff. 84-5, Grenville to Marquis of Douglas, 27 June 1806 (copy).

112. BL, Grenville, Add Mss 58933, ff. 21-2, Spencer to Grenville, [27 June 1806].
113. Thorne, HP, I, p. 87.
114. BL, Grenville, Add Mss 59263, ff. 1-3, Henry Erskine, Lord Advocate to [Grenville], 6 August 1806, with enclosure.
115. BL, Grenville, Add Mss 59263, ff. 4-11, Henry Erskine, Lord Advocate to [Spencer], 18 August 1806.
116. BL, Grenville, Add Mss 58933, f. 50, Grenville to Spencer, 5 September 1806 (copy); ibid, ff. 51-2, Spencer to Grenville, [8 September 1806].
117. BL, Grenville, Add Mss 59263, ff. 26-9, Henry Erskine, Lord Advocate to Spencer, 6 October 1806.
118. NLS, Melville, Ms 9370, ff. 102-3, Melville to Portland, 19 October 1806 (copy).
119. BL, Grenville, Add Mss 59263, ff. 93-4, Henry Erskine, Lord Advocate to Adam Gillies, 20 October 1806 (copy).
120. Counties contested: Aberdeenshire, Banffshire, Dumfriesshire, Fife, Lanarkshire and West Lothian. Burgh seats contested: Aberdeen, Dumfries, Glasgow, Linlithgow, Stirling and Tain.
121. There is a full account of the contest by John Patrick, 'The 1806 election in Aberdeenshire', Northern Scotland, I (1973), pp. 151-76. For government's support for Hay, see BL, Grenville, Add Mss 58941, f. 70, Grenville to Lauderdale, 16 June 1806 (copy).
122. Thorne, HP, II, p. 522; BL, Grenville, Add Mss 58953, f. 150, D. McDowall Grant to Henry Erskine, Lord Advocate, 16 September 1806.
123. SRO, Melville, GD51/1/195/11, Robert S. Dundas to Melville, 12 February [1806]; NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 13 February 1806.
124. Thorne, HP, II, pp. 538-9.
125. Thorne, HP, II, pp. 555-6, 610-11; BL, Grenville, Add Mss 59263, ff. 20-1, Henry Erskine, Lord Advocate to [?Grenville], 27 September 1806; ibid, ff. 22-4, Lord Archibald Hamilton to Henry Erskine, Lord Advocate, 20 September [1806]; ibid, Add Mss 58953, ff. 157-8, Henry Erskine, Lord Advocate to Grenville, 19 October 1806.
126. NLS, Melville, Acc 9140, Charles Hope, Lord Justice Clerk to Robert S. Dundas, 11 April 1806; BL, Grenville, Add Mss 59263, ff. 26-9, Henry Erskine, Lord Advocate to [Spencer], 6 October 1806.

127. Dirom's stance is described in SRO, Melville, GD51/1/198/7/16, Dirom to [Melville], 11 June 1806 and in SRO, Buccleuch, GD224/519/2/8, Buccleuch to Queensberry, 6 November 1806 (copy).
128. SRO, Buccleuch, GD224/519/2/5, Queensberry to Henry Erskine, Lord Advocate, 1 November 1806 (copy).
129. SRO, Buccleuch, GD224/519/2/8, Buccleuch to Queensberry, 6 November 1806 (copy).
130. SRO, Melville, GD51/1/198/7/15, William Johnstone Hope to [Melville], 6 May 1806; SRO, Buccleuch, GD224/519/2/4, Queensberry to William Johnstone Hope, 15 April 1806 (copy).
131. BL, Grenville, Add Mss 58941, f. 178, Grenville to Lauderdale, 25 October 1806 (copy).
132. Thorne, HP, II, p. 591.
133. Thorne, HP, II, p. 617.
134. Thorne, HP, II, pp. 603-4.
135. Thorne, HP, II, pp. 620-1.
136. SRO, Buccleuch, GD224/668/12/11-13, Melville to Buccleuch, 4 April 1806.
137. SRO, Leith Hall papers, GD225/34/25/57, James Mansfield to Alexander Hay, 29 July 1806.
138. SRO, Melville, GD51/1/195/9, 18, letters of Robert S. Dundas to Melville, 11 and 26 February 1806; SRO, Buccleuch, GD224/668/12/7, Robert S. Dundas to Buccleuch, 12 March 1806.
139. The story can be followed in Thorne, HP, II, pp. 547-8 and in SRO, Melville, GD51/1/198/12/5-27.
140. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 26 February [1806]; SRO, Melville, GD51/5/432, Lord Dunsinnan to Melville, 10 March 1806.
141. Thorne, HP, I, p. 90, examines Adam's calculations, now in the Grey Mss.
142. BL, Grenville, Add Mss 59263, ff. 26-9, Henry Erskine, Lord Advocate to [Spencer], 6 October 1806.
143. SRO, Leven and Melville, GD26/13/198/5/1-2, Lord Spencer to Earl of Leven, 29 October 1806, lists the government candidates: Erroll, Elgin, Leven, Selkirk, Northesk, Balcarres, Stair, Glasgow, Forbes, Cathcart, Sempill, Elphinstone, Somerville, Blantyre, Reay and Kinnaird. The crude manner in which the government list was touted around was so much of a break from Melville's own past methods that Abercorn contemplated complaining in parliament about government interference: NLS, Melville, Ms 1041, ff 99-100, Lord Aberdeen to Melville, 21 December 1806.

144. SRO, Leven and Melville, GD26/13/198/8, Spencer to Leven, 15 November 1806.
145. BL, Grenville, Add Mss 58941, ff. 200-1, Lauderdale to Grenville, 4 November [rectius December] 1806, alludes to Kinnaird's late re-emergence as a candidate.
146. They were: Elgin, Northesk, Balcarres, Stair, Glasgow, Cathcart, Elphinstone and Somerville.
147. EUL, Laing Mss, Div. II, 461/2, Melville to Napier, 6 November 1806. His candidates were Strathmore, Kellie, Haddington, Elgin, Dalhousie, Balcarres, Aboyne, Aberdeen, Glasgow, Forbes, Cathcart, Somerville and Napier.
148. This insistence can be seen in EUL, Laing Mss, Div. II, 461/2, Spencer to Napier, 27 October 1806 and SRO, Leven and Melville, GD26/13/198/9, same to Leven, 17 November 1806.
149. SRO, Buccleuch, GD224/579/2/35, 37, letters of Napier to Buccleuch, 14 and 15 November 1806, discuss the operation of the government restriction. Of Melville's friends, Forbes - on both the government's and Melville's lists - was much embarrassed in adhering to government's strictures: ibid, GD224/579/2/47, Melville to Buccleuch, 23 November 1806.
150. Kirkcudbright's conduct was in this vein: NLS, Melville, Ms 9370, ff. 104-5, Kirkcudbright to Melville, 11 November 1806.
151. EUL, Laing Mss, Div. II, 461/3, Melville to Napier, 16 November 1806. This letter is printed in Furber, Dundas, pp. 279-80. The problem was also detailed to Buccleuch: SRO, Buccleuch, GD224/579/2/34, Melville to Buccleuch, 13 November [1806].
152. EUL, Laing Mss, Div. II, 461/2, Melville to Napier, 21 November 1806, in which Melville confesses himself "puzled" as to the possible result.
153. For Sempill, see EUL, Laing Mss, Div. II, 461/3, Melville to Napier, 16 November 1806 and BL, Grenville, Add Mss 58941, ff. 202-4, Lauderdale to Grenville, 5 December 1806.
154. There is a brief report on the election in BL, Grenville, Add Mss 58941, ff. 200-1, Lauderdale to Grenville, 4 November [rectius December] 1806.
155. Aspinall, Later Correspondence of George III, IV, pp. xxxvi-xxxvii.
156. SRO, Melville, GD51/1/106/1, Lady Abercorn to Melville, 12 November 1806.
157. SRO, Melville, GD51/1/195/20, Melville to Robert S. Dundas, 7 January 1807; NLS, Melville, Acc 9140, same to same, 10 January 1807.

158. SRO, Melville, GD51/1/195/21, Robert S. Dundas to Melville, 24 January 1807.
159. SRO, Melville, GD51/1/112/1, Spencer Perceval to Melville, 19 January 1807.
160. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 25 January 1807; SRO, Melville GD51/1/112/2, Melville to Spencer Perceval, 27 January 1807 (copy).
161. NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 25 January 1807; SRO, Melville, GD51/1/986, Charles Hope, Lord Justice Clerk to Lord Cathcart, 27 September 1806 (copy); ibid, GD51/1/987, John Hamilton of Sundrum to Melville, 30 December 1806.
162. N.T. Phillipson, 'The Scottish Whigs and the Reform of the Court of Session, 1785-1830', (Cambridge University, Ph.D, 1967), pp. 180-1; NLS, Melville, Ms 12, ff. 125-30, "Notes on the Scotch Judicature Bill", [n.d. but ? March 1807].
163. BL, Grenville, Add Mss 59259, ff. 4-5, Lord Armadale to Grenville, 26 March 1806.
164. BL, Grenville, Add Mss 59260, ff. 149-59, "Memorandum for explaining a Bill for Better Regulating the Courts of Justice in Scotland &c"; ibid, Add Mss 59261, ff. 52-3, John Clerk, Solicitor General, to Grenville, [18 March 1807].
165. BL, Grenville, Add Mss 59259, ff. 16-17, Charles Hope, Lord Justice Clerk to Grenville, 20 May 1806.
166. Phillipson, op.cit, p. 198.
167. SRA, Campbell of Succoth, TD219/56/1, Grenville to Ilay Campbell, Lord President, 25 June 1806.
168. SRA, Campbell of Succoth, TD219/6/381, Lord Eldon to Ilay Campbell, Lord President, 23 February 1807: "The bill seems to me to have been drawn [up] by some gentleman of the Bar in Scotland, who knew little of English law, and some gentleman of the Bar in England who, if he knew much of Scotch law, seems to have forgotten that the Court of Session had, like our Court of Chancery, an equitable jurisdiction".
169. SRA, Campbell of Succoth, TD219/56/1, Robert Dundas, Chief Baron, to Grenville, 27 February 1807 (copy).
170. BL, Grenville, Add Mss 59260, ff. 74-80, Charles Hope, Lord Justice Clerk to Grenville, 9 February 1807.
171. Hope also pointed to the detrimental effects that highland clanship would have on a jury system. At least one commentator argued that the Scots people were temperamentally and educationally unsuited to be jurors: NLS, Melville, Ms 12, ff. 81-96, Notes on Judicature Bill, April 1807.

172. In his own notes for a speech about the Court of Review, Melville noted that "scandal has been busy in imputing other objects to this measure than have been avowed...": NLS, Melville, Ms 12, ff. 147-50, Notes [n.d. but ? March 1807].
173. BL, Grenville, Add Mss 59260, ff. 83-4, Grenville to Charles Hope, Lord Justice Clerk, 12 February 1807 (copy).
174. BL, Grenville, Add Mss 59260, ff. 116-20, Charles Hope, Lord Justice Clerk to Grenville, 24 February 1807.
175. Phillipson, op.cit, p. 200. See also BL, Grenville, Add Mss 59260, ff. 172-3, 203, correspondence between Robert S. Dundas and Grenville, 5-6 March 1807.
176. EUL, Laing Mss, Div. II, 500, William, Lord Craig to Robert Dundas, Chief Baron [postmarked 19 March 1807]; NLS, Melville, Ms 12, ff. 101-2, Archibald Colquhoun, Lord Advocate to Henry Erskine, 25 December 1807 (copy); Phillipson, op.cit, p. 201.
177. NLS, Melville, Ms 12, ff. 60-5, Lord Hermand to Melville, 7 March 1807, enclosing states of the Faculty votes; BL, Grenville, Add Mss 59260, ff. 201-2, Colin Mackenzie to Lord Spencer, 6 March 1807.
178. SRA, Campbell of Succoth, TD219/6/19, Ilay Campbell, Lord President to Eldon, 2 March 1807 (copy); ibid, TD219/6/309, Thomas Erskine, Lord Chancellor to Ilay Campbell, Lord President, 11 March 1807. The four opposition judges were Lords Armadale, Bannatyne, Cullen and Newton.
179. SRA, Campbell of Succoth, TD219/6/383, Lords Dunsinnan, Woodhouselee, Craig and Meadowbank to Ilay Campbell, Lord President, 19 March 1807; ibid, TD219/56/1, Lord Meadowbank to Ilay Campbell, Lord President, 19 March [1807].
180. Phillipson, op.cit, pp. 220-1, discusses the split in opinions among the Whigs.
181. Matheson, Dundas, p. 379.
182. Notes for a speech by Melville on the Court of Review, March 1807, hint at the unfairness of this English intervention in Scots affairs: NLS, Melville, Ms 12, ff. 147-50.
183. NLS, Melville, Ms 5, ff. 145-6, Huntly to [Robert S. Dundas], [] April 1807.
184. SRA, Campbell of Succoth, TD219/6/469, Melville to Ilay Campbell, Lord President, 22 March [1807].

CONCLUSION

The history of the political management of Scotland in the twenty years from 1807 is essentially an account of the work of Robert S. Dundas, for Melville did not return to office. George III, having forced Grenville out, turned to the friends of Pitt who formed an administration under the ageing Portland. The new government was weak but not impossibly so, and in England it would derive some support from anti-Catholic feeling. Nonetheless it could not afford the odium of having Melville back in office and in later years his bitterness would grow as the full implications sank in of the stain cast on his name by the impeachment. He was restored to the Privy Council, however, and he took a full part as Scottish manager in the general election that was called almost immediately after Portland took office. Government was very successful in Scotland. Among the MPs it was reckoned that administration could count on the support of about 30¹ and in the peerage election Melville's suggested list of candidates swept the board. This was not least because his friends had learned the lesson of the previous election and had acted as a fairly tight party.²

Those of Melville's friends who had been sacked by the previous government were restored to office and other rewards were bestowed on the Melville party. His management of Scotland was expected to continue but by July 1807 he was complaining that he did not have the full support of government in the necessary work. Without any more stimulating duties, the charms of managing Scotland were now lost on him:

"I look forward with horror to the situation of what they call Minister for Scotland, in which there is no room for the exertion of any real talent I may possess, and one is liable to the perpetual annoyance of hungry and greedy beggars beating at your door and disturbing the quiet and repose of your life" ³

By the end of 1807, Melville had effectively transferred all his Scottish business to his son.⁴ Thereafter, he continued as a willing adviser to his son and to his old friends and a steady stream of memoranda on Scottish, European and Imperial affairs flowed out of Dunira, some of them solicited, most not. Now he was "retired and buried at the foot of the Grampian Mountains"⁵ but it was not a happy retirement. Always he denied it, but he yearned for the call to office if only to vindicate himself and to wipe out the memory of the impeachment. This could never be and his resentment came to manifest itself in something approaching to a jealousy of his son's advancing career. Although to the last they remained close, Melville's sometimes sordid, half-denied attempts to return to office, together with the hurt and embarrassment that these manoeuvres caused his son, provide a sad epitaph to his career.⁶

Henry Dundas died on 28 May 1811, the anniversary of Pitt's birthday, and he is buried in the parish kirk at Lasswade.

Any retrospective view of Henry Dundas and his government of Scotland must begin by observing that he has never enjoyed a popular press among his own countrymen. This is not surprising. Like most of his contemporaries in politics he was unpopular with the common people. Even among the political classes he had a certain reputation for venality and jobbery. The story of his impeachment

has done much to colour the folk memory of him as a villain who escaped justice. Against all this has to be balanced the opinions of his many friends. They were conscious that he might at times have chosen his associates more carefully, but none of them appear to have believed that he was a dishonest man, either generally, or in the particular events that led to his impeachment. It has also to be remembered that Dundas was operating at a time when the whole power structure of British politics was under question for the first time since the upheavals of the mid-seventeenth century. To later eyes his spirited resistance to democratic reform has inevitably cast him in the villain's role. It is more important to remember that in doing so he represented the wishes of most of the ruling class.

Dundas has been accused of being a political hack, with few principles and only limited vision. It is true that he was completely pragmatic in his approach to political problems but it is not fair to say that he lacked certain driving motives. In his policies as a British minister he was determined that the Empire should expand and that it should be well defended. This is clear from his war policy in the West Indies and the Mediterranean and in his administration of British India. It was because of his belief in these objectives that despite some pressure, he refused publicly to endorse the peace terms of 1801. In his domestic politics, Dundas displayed a clear awareness of the threat posed to the established social order by demands for reform from below. The major economic changes that would reshape Scottish society did not really gather pace until after 1820 but Dundas could see the omens - the expanding towns and the emergence of a discontented

urban workforce - and he tried to prepare for the long-term defence of the interests of the landed classes. This empathy with the aims and aspirations of the landowners is a major theme in itself and we have observed it several times. In his personal political principles Dundas consistently adhered to the belief that it was the King's right to choose his own government. This need not be dismissed as merely a justification for reaping the advantages of supporting (or not opposing) successive administrations. Dundas was seen to adhere to it even when, as in the case of the Addington and Grenville governments, it was not necessarily in his interests to do so. When he broke with Addington, it was because he felt that the national interest required his removal. When he openly opposed Grenville, it was in the belief that the King would not necessarily disapprove. Dundas was not alone in having such principles and there were still many "King's men" in politics. It was not his fault if he was abused for holding such beliefs by people who preferred to act out of principles of loyalty to a party. Nor should Dundas be portrayed as utterly opposed to reform. Certainly he suppressed the radicals but he had passable credentials in his support for Scottish county reform and he appears to have been genuine in his support of Pitt's plans for English electoral reform in 1785. In all this he was again broadly in line with the Scottish politicians.

We have seen that Henry Dundas "did not engross the politics of Scotland in the last two decades of the eighteenth century".⁷ His influence arose partly from his own personal qualities, from his relatives and friends, and partly from the influence that he

gained from acting as Pitt's Scottish manager for nearly twenty years. There were some technical differences in the manner in which Scottish administration was conducted but otherwise Dundas was firmly in a tradition of managers that stretched back through the Argyll family, past the Union of 1707, to the Earl of Lauderdale's direction of Scottish affairs in the 1660s. The work involved using government influence to return friends to parliament, whether by bolstering existing local interests, or promoting alliances among groups friendly to government. It was these traditional managerial methods, allied to the natural Scottish disposition to support the government of the day, that underpinned Dundas's success as a manager prior to 1792. Among the political classes, open resistance to his activity all but collapsed between 1792 and 1794, when the terror of radical upheaval drove most of them behind Pitt's banner. The very close friendship between Pitt and Dundas meant that there were few tensions or jealousies in their relationship and this gave Dundas unusual power as a manager. The "Dundassian Domination" was not merely visited upon the radicals. Those politicians who opposed Dundas in Scotland, particularly the Whigs, had an even harder time than the men who had earlier opposed the Argylls. Nor was Dundas above using his power as manager to bully men who were otherwise government supporters. This could apply either in the wider field of Scottish legislation - the 1785 project to alter the Court of Session, for instance - or in the narrower arena of local electoral politics. That said, Dundas's power had its limits. Some local interests could cheerfully bid him defiance and, beyond his and government's

reach, he could do little. Even in the worst period 1793-1801 the Scottish Whigs, much reduced, managed to survive, as did pockets of independent resistance to Dundas. Both groups were able to thrive again during the Addington years and they were never fully beaten.

In his management of Scotland, Dundas had, like the Argylls, to act with the broad consent of the landed classes, and naturally he exercised it largely to their advantage. Overall, his administration presents a mixed picture. The Scottish political system was clearly becoming more venal, but Dundas's machinations in elections and patronage were neither more nor less corrupt than those of previous managers. He took little real concern in the Scottish revenue administration and, like most politicians, his limited interest centred on trying to find posts for his friends. While economical reform and the demands of war finance were focussing attention on the need to overhaul the structure, actual reforms were relatively few and the system as a whole was left to stagnate. In Dundas's church policy, political expediency was again the watchword. Church patronage was deployed carefully to ensure harmony among the landowners involved, if not among the congregations. Church and university preferments were used, where practicable, to benefit the Moderate party. In the law and in legal appointments, Dundas's policy was clearly aimed at reform and at improvements in standards. His success was only partial, mainly because the weight of structural failings in the system was against him.

The Scottish manager was expected to represent Scottish interests at Westminster. There is little doubt that Dundas was good at this,

not least because of his close friendship with Pitt , and his skills in protecting Scotland's concerns were acknowledged. Yet England was clearly the senior partner in the Union and English requirements could simply override Dundas's wishes. This was fully demonstrated in the repeated rejections of Scottish demands for a proper Stamp Office in Edinburgh.

At times Dundas's attention wandered far from Scotland. His work as a cabinet minister made it more and more difficult for him to focus attention on his Scottish management and he had to delegate a proportion of it to his nephews, Robert and William Dundas. At other times he would complain of boredom at the tedious nature of the work. Nonetheless in most of the essentials - supervising its government, representing it at Westminster and protecting its interests - Dundas fulfilled the role of the modern Secretary of State for Scotland. In this too, he was merely in the tradition of previous managers. Perhaps the most obvious difference is that Dundas and his predecessors answered to an electorate of a few thousand, where the modern Secretary answers to several million.

What lasting marks has Henry Dundas left? There are perhaps two worth considering. The first is that in his role as a British politician he "personified the triumph of the Scottish Union of 1707".⁸ The early Scottish resistance to the Union had long gone and Jacobitism was becoming a distant memory. With its own political structure, church and legal establishment, Scotland remained in some ways almost semi-independent. Yet as the eighteenth century wore on, the Scottish ruling class came to identify itself

as being British, in a community of interests with its English brethren. This process came near to completion in Dundas's time in politics. It was certainly accelerated by the threat posed by the radicals to the collective British ruling class but even before this the Scottish elite had come to look at the British Empire both as a field of government in which to participate and as an opportunity for patronage in which to share. This became marked in Dundas's years. We have noted the way in which his patronage and activities at the India Board had turned many Scottish landed families to look abroad for gain. In many cases he had nothing to do with particular appointments to Indian or imperial service, but his activities and those of his friends had made others alive to the opportunities.

Dundas's second legacy was his role in the formation of what became the nineteenth-century Scottish Tory party. He had always denounced those who acted on the principles of loyalty to a party and he cursed opposition based on party connection as one of the major threats to the country during the reign of George III.⁹ Yet in his own way, and although he might have denied it, he made his accommodation with the system of party politics now gradually emerging in Britain. Pitt's years in office and his principles - the defence of the King's right to choose his governments, the protection of the constitution and of propertied rights - had, against the background of popular unrest, welded a strong following to his name. Dundas was among the foremost in his personal devotion to Pitt and his principles. Events after 1801 divided the former governing group between Pitt, Grenville and Addington but the magic of Pitt's name meant that his following remained substantial.

It included many in Scotland, where the Pittite connection focussed solely through Dundas and where the post-1801 fragmentation was largely avoided. This Pittite/Melvillite interest, founded on the support of major nobles like Buccleuch, Atholl and Gordon, together with numerous other landowners, remained largely intact even in the years after Pitt's death. In this sense, the cohesion of the Scottish group meant that the development of a Tory party was initially more advanced in Scotland than in England. In the South it was not until 1815 that the various fragments of the pre-1801 governing party gradually returned to the flag held by the Pittites. Although its members commonly rejected the name, this regrouping formed the basis of the British Tory party, and the Scots Melvillites, now led by the Second Viscount, were fully part of it.

That Henry Dundas was able to pass the leadership of this group to his son was not the least of his achievements. By 1810, the limited damage done to the Melville interest by Grenville's government and by the occasional maladroitness of Portland's administration had been fully repaired. Robert Saunders Dundas was in command of the Pittite party built up by his father and the Dundassian Domination had another seventeen years to run.

CONCLUSION: REFERENCES

1. Thorne, HP, I, p. 91.
2. There is much material on this election in EUL, Laing Mss, Div. II, 461/2. In particular see Buccleuch's list of candidates, 7 May 1807, and letters of Melville to Buccleuch, 16 May 1807 (copy) and to Napier, 11 June 1807.
3. NLS, Melville, Ms 14839, ff. 67-70, Melville to Robert S Dundas, 11 July 1807.
4. This is clear enough from the secretarial minute books kept by Robert S. Dundas and now in SRO, Melville, GD51/9/256 and GD51/18 (uncatalogued). The situation is clearly caught in a letter in NLS, Melville, Ms 14839, f. 71, Melville to Robert S. Dundas, 27 January 1808.
5. SRO, Buccleuch, GD224/30/7/6, Melville to Buccleuch, 15 October [?1809].
6. The complicated attempts by Melville to return to office can be followed in the correspondence at SRO, Melville, GD51/1/195 and NLS, Melville, Acc 9140. He wrote a lengthy memorandum in May 1809 giving some account of his political activity and ambitions since 1804. A copy can be seen at SRO, Buccleuch, GD224/30/6. It is rather disingenuous.
7. Ferguson, Scotland 1689 to the Present, p. 237.
8. Christie, Wars and Revolutions, p. 219.
9. See NLS, Melville, Acc 9140, Melville to Robert S. Dundas, 28 February 1806, for the clearest exposition of Melville's view on 'party'.

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- Dalguise Muniments, GD38.
- Melville Castle Muniments, GD51. One of the basic sources for this study. A large collection, it is divided into 18 sections. I have made extensive use of sections 1 (Scottish and British politics), 2 (naval affairs), 4 (East Indian patronage), 5 (Scottish politics and administration), 6 (civil and military patronage), 7 (pensions), 9 (miscellaneous correspondence), 17 and 18 (supplementary papers on Scottish and other topics). The catalogue is very detailed.
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