

FOSTERING ALLEGIANCE AMONG THE CLANS

Andrew Fletcher (1691–1766), Lord Justice Clerk of Scotland (1735–1748)

to John Hay (1695–1762), Marquis of Tweeddale, Secretary of State for Scotland (1742–1746)

16 September 1745

...I shall signify to your Lordship in plain words what authorities I desired to have been sent down to empower the well-affected to appear in a legal way for the defence of His Majesty's person and government.

And to explain myself fully on this head, your Lordship will be pleased to reflect on the state of this country at present at the beginning of this rebellious insurrection, which began about six weeks ago and at this hour is holding in dread the capital of this part of the Kingdom.

Scotland may be divided into two parts, the one disarmed and the other unarmed. By the former I mean the Highlands and by the later the Lowlands. The former produces as good militia as any in Europe; the later (with which your Lordship and I are most acquainted) are neighbourlike, but little accustomed to the use of arms employed in a military manner.

The Highlands again may be divided into three classes. First I shall call the Whig clans, who have always bore that character since these names and distinctions were among us, of which your Lordship and everyone acquainted with this country knows the chief are the Campbells, the Southerlands, the Grants, the Munroes, and the McKays. The second class are the clans still professedly Jacobite and who at this moment are giving proof of it—viz., the Camerons, the McDonalds of Clanronald, Keppoch, and Glengary, and a few more of lesser note. The third class is made up of those who were engaged in the late rebellion, but whereof the chiefs now profess and practice submission and obedience to the government. Among these may be accounted the McKenzies, McLeods, Gordons, McDonald of the Isles, the behaviour of which last has been most exemplary and meritorious on this occasion.

By an Act of the 1st of the late King, entitled an *Act for the More Effectual Security of the Peace of the Highlands*, the whole Highlanders without distinction are disarmed forever and forbid to use or bear arms under penalties.

This Act has been found by experience to work the quite contrary effect from what was intended by it, and in reality proves a means for more effectually disturbing the peace of the Highlands, and of the rest of the Kingdom, and His Majesty's government by and through those Highlands, and the cause of this operation is now plainly visible. For all the disaffected clans retain their arms, and either concealed them at the fact of disarming or have provided themselves since. At the same time, the dutiful and well-affected clans have truly submitted to this measure of the government and act of the Legislature and are still disarmed or have no quantity of firearms amongst them.

The fatal effects of this difference at the time of a rebellious insurrection must be very obvious, and but too clearly seen, and by us in this country felt at this hour. I pray God they be felt no further south.

By that disarming Act as it stands, there is still room left for arming occasionally even the Highland or prohibited counties, and the method reserved or expected from the prohibition is when, by His Majesty's order and out of his arsenal, the people are called out and armed by the Lords Lieutenant of the counties. Then they may lawfully bear and use such arms during such number of days and space of time as shall be expressed in His Majesty's order.

This is, in plain words, an answer to your Lordship's question what authorities I desired might be sent down to empower the well-affected to appear in a legal way for the defence of His Majesty's person and government....