The national convention of the Friends of the People was called in order to intensify the campaign for reform. A determined display of radical strength would, it was argued, impress both the country at large and Parliament in particular and thus facilitate the progress of reform. Thomas Muir, in a speech supporting his own motion of 21 November that the Edinburgh delegate committee call a national convention, argued that "The general of an army might as well propose to storm an enemy's trenches by detaching small parties to fire platoons at a distance of a week, as a Friend of the People might imagine that Parochial or even County Associations could obtain a civil reception on such a subject in the British House of Commons." Only a national convention, it was claimed, could exert enough influence to persuade the legislature to look favourably on reform petitions. Muir argued that petitions were insufficient by themselves; they had to be backed by a national convention and, implicitly, by the threat of revolutionary action. Muir's ideas were remarkably similar to those being aired in Ireland at the same time. In late 1792 Dr. William Drennan (1754-1820), the founding father of the United Irish movement and the chairman of the Dublin society of United Irishmen, pressed the Ulster radicals to hold a provincial convention at Dungannon which would "embody and ascertain public opinion." At first he urged that the

1. The Glasgow Advertiser and Evening Intelligencer, 23-26 November 1792.
convention should not adjourn until reform had been granted, but by early January 1793 he had modified his position, recommending that the convention should appoint a "permanent executive committee" with powers to call a national convention as "a final measure" if the Irish Parliament refused to pass a reform bill. At some point in 1792 Thomas Muir established a correspondence with Archibald Hamilton Rowan (1751-1834), the secretary of the Dublin society, and in the period immediately preceding the Scottish convention this correspondence, Rowan tells us, "became more frequent." Muir clearly wished to forge an alliance between the Scots and Irish radicals and probably hoped to commit the Friends of the People to a plan similar to that sketched out by Drennan. However, as we shall see, neither the alliance nor the unconstitutional use of conventions as the voice of an "embodied" nation were acceptable to the delegates assembled in Edinburgh.

One did not have to agree with Muir in order to see the value of holding a national convention. Such an assembly, it was argued, served to reinforce the unity and stiffen the resolve of the movement.

Lord Daer, the talented eldest son of the Earl of Selkirk, wrote to Charles Grey in January 1793 urging the English reformers to hold their own convention and arguing that a national convention "is requisite for keeping up that degree of knowledge & concert amongst your

4. D.A.Chart, ed. "The Drennan Letters being a selection from the correspondence which passed between William Drennan, M.D. and his brother-in-law and sister Samuel and Martha M'Tier during the years 1776-1819". (Belfast, 1931), 133-134.

scattered friends, which the acquaintance by letters is inadequate to." He added that "it may even be necessary to save them from temporary extinction."\(^6\) A national convention also provided the best forum for formulating national policy. In this connection it was originally intended that the single most important function of the convention would be to decide when and in what manner to apply for reform. The Edinburgh delegate committee meeting of 21 November, having decided that a committee should be appointed to draw up an "address" to Parliament for reform, resolved that "a general meeting of all the Delegates in Scotland shall be held... upon the 11 of Dec\(^r\) next to take under consideration the Address to be by that time prepared by the Committee, and then finally to adjust the Address to be presented to Parl."\(^7\) No other task was mentioned; the discussion and amendment of the petition were clearly to be the main duties of the convention. It was no insignificant task. The convention had to debate and answer a number of important questions. Should they petition the House of Commons or the King? Should they specify what sort of reform they wanted? Should they proceed immediately to draw up and transmit their own petitions, or should they wait for and co-ordinate their petitioning campaign with the London Friends of the People? Should they trust the London Friends of the People?

No sooner had the decision been taken to hold a national convention than the political situation began to change alarmingly. By early December the loyalist reaction was fully underway. Conservative


pamphlets were falling off the presses in ever-increasing numbers, newspapers were full of loyalist articles and letters, meetings were held to declare loyalty to the constitution, and counter-associations were beginning to spring up across the country. Moreover Government threw its weight behind this reaction and embarked upon a policy of repression. As the alarm grew so the convention's priorities changed. As a subject of debate petitioning now took second place to the loyalist reaction and how to combat it. The committee entrusted with making preparations for the convention reported "that every exertion ought to be made to procure such a meeting... as will convince the country at large that their cause is the cause of the people and will procure universal approbation in spite of all the [illegible] calumny & persecution that can be raised ags t it." To that end the committee advocated that the convention should address the burgh and county reformers appealing for their support and arguing that the "partial reforms" sought by them would only succeed in strengthening "the corruption of the state". In view of the stubborn refusal of both movements to join with the radicals since July, and the bitter circumstances surrounding the earlier negotiations with the burgh reformers, it was likely that any motion for such an address would be vigorously opposed, but it is a measure both of the radicals' determination to search for as much support as possible and of their perception of a common purpose uniting their movement with those of the gentlemen reformers that such a project should be suggested at all. The same committee advised that the convention should also issue an address to the general public, pointing out "the public benefit expected from the reform sought", demonstrating "that no harm can

accrue from interesting the people in the administration of their own concerns", and arguing that "all the alarms excited" are "false & unfounded". Moreover, the committee's report added, the address should emphasise"that every delay of so prudent a measure renders the accomplishment of it in a constitutional manner more & more precarious".

The threat of revolutionary action implicit in this address was to be made explicit in a proposed address to the king, which, the committee recommended, should advise that the continuation of present policies "may shake his throne to the foundation" and warn that the refusal of the House of Commons to grant a reform would "render a call of the states unavoidable". Clearly Muir was not alone in believing in the efficacy of revolutionary threats.

Whether one believed in the usefulness of revolutionary threats or not, it was essential that the radical movement should obtain overwhelming public support if its objectives were to be attained. As the loyalist reaction gathered strength so the radicals began to fear that they might lose the propaganda war and, with it, the support of the public. So worrying indeed was the recent turn of events that the Edinburgh delegate committee meeting of 5 December decided that immediate action was called for. The committee therefore ordered the publication of a declaration defending the Friends of the People against the "calumnies" of their enemies. It was no longer sufficient, they decided, to rely upon "the purity of their intentions, and the integrity of their conduct" for their defence. Their enemies had "persisted in their misrepresentations" and had to be answered.

9. The Caledonian Mercury, 6 December 1792. See also a similarly defensive "Address of the Friends of the Constitution and of the People" issued by the Glasgow radicals and published in 'The Glasgow Advertiser and Evening Intelligencer', 30 November-3 December 1792.
The Friends of the People, the declaration asserted, were orderly, virtuous, and the decided enemies of riot and tumult. "Will the father", it asked rhetorically, "lead discord by the hand to the fireside of his family? Or the tradesman obstruct, by popular tumults, the commerce from which he derives his support?" The radicals, it continued, were the champions of moral rectitude, while their conservative enemies, it insinuated, were the apologists for political immorality. "The baneful influence of political profligacy", the declaration thundered, "must be counteracted by a severe morality, and the inviolability of the Election Oath, profaned by intrigue, must again be held sacred amongst us." The intention of the Friends of the People, it stated, was "to collect the sense of the People" regarding "the enormous, and still encreasing influence of the executive part of our Constitution" and the consequent corruption of the House of Commons, and "to request a full investigation of abuses from the Legislature itself." "Immaculate purity", it cuttingly added, "can never shrink from candid inquiry." Their object, the declaration concluded, was "to reform and not to subvert the order of society", to give security to property and "not to violate it", and "to remove... that want of confidence between those who govern, and those who are governed, which at present distracts us." ³⁰ Appended to this declaration was a resolution of the Edinburgh delegate meeting ordering their president, vice president, and secretary to wait on the Lord Provost and offer him the services of the radical societies "in the suppression of all popular tumults." ³¹ A deputation accordingly called on Lord Provost Thomas Elder on 6 December and succeeded in obtaining from him an

10. It should be noted that the declaration was also published in handbill form, see NLS X.223.d.1.(7).

11. The Caledonian Chronicle, 7 December 1792. This resolution was also published in handbill form, see NLS.X.223.d.1.(9).
important admission. Elder stated "that it was not from the Associations that the Magistrates apprehended disorder, but from ignorant people, inflamed by designing men." Elder's reply constituted a marvellous propaganda boon to the radicals, but clearly much still required to be done before their critics would be completely discomfited and the propaganda war could be said to be won.

Approximately 170 delegates representing at least seventy nine societies attended the 1st Convention. At least thirty cities, towns, and villages were represented, but, in a geographical sense, the convention was far from national. The Southern Uplands, the Highlands, and the Islands were unrepresented, while only one solitary individual was delegated from the north east. With the exception of this Aberdonian delegate, all the delegates originated from three areas, the central belt, Fife, and Tayside, which together comprised the heartland of Scottish radicalism. However the poverty of the societies and the expense of sending delegates to Edinburgh resulted in Edinburgh being grossly over-represented at the convention. As H.W. Meikle pointed out, perhaps as many as half the delegates were from the capital city.

Whether the convention's proceedings would have been markedly

12. The Caledonian Mercury, 8 December 1792.

13. "Second Report of the Committee of Secrecy of the House of Commons respecting Seditious Practices", 6 June 1794. Parl. Hist, XXXI, 727. It is impossible to be precise about the number of delegates. The delegates' commissions noted by J.B., the spy, are not a full record of the delegates attending. The minutes record the presence of two delegates, from Johnstone and Aberdeen, who are not mentioned in the list of commissions. Moreover the commissions are vague in three cases as to the number of delegates elected. Both the Cowgate and Portsburgh societies sent five named delegates "and some others", while the Lodge Room, Blackfriars Wynd, Society sent two named delegates "and some others". However, from all the available evidence, it seems that the Committee of Secrecy's estimate is unlikely to be far wide of the mark.

different had the 'provincial' societies been more equitably represented is a moot question, but there does not appear to be any good reason to think that the politics of the Edinburgh Friends of the People were significantly different from those of the other radical societies. However the fact that the convention was held in Edinburgh, a place which according to the 'Glasgow Advertiser' "is justly regarded as the focus of Scots Aristocracy",\textsuperscript{15} had an important bearing on its proceedings. There, perhaps more than anywhere else in the country, the delegates would be kept aware of the strength of the loyalist reaction and of the threat it posed to the success of their project.

The loyalist reaction hung over the heads of the delegates assembling in Edinburgh like a huge black cloud. It dominated the convention. More time was spent discussing, both directly and indirectly, how to respond to it than on any other issue. The anxiety of some of the leading figures was apparent from the outset. When, after the delegates' commissions had been received, Muir opened the proceedings with a motion for the election of office bearers, Lord Daer opposed it arguing that "it was proper, while Ministry had their eye upon those whom they considered as leaders, to divide the responsibility among many."\textsuperscript{16} Moreover when it was proposed that Lt. Col. Dalrymple should be elected first chairman, (it having been decided that a chairman should be elected daily), the laird of Cleland and Fordel declined the honour, insisting that as a military man the Ministry might accuse him of an attempt to raise a rebellion in the country."\textsuperscript{17}

\textsuperscript{15} The Glasgow Advertiser and Evening Intelligencer, 23-26 November 1792.
\textsuperscript{16} H.W. Meikle, op cit, 242.
\textsuperscript{17} IBID.
Only Muir's persuasive reply, which may have appealed to the colonel's patriotism, convinced Dalrymple to accept the nomination. Dalrymple's nervousness may, in part, have been owing to the news that Lord Sempill had been cashiered from the army for his political activities, and to the rumours that both he and Macleod were about to share the same fate.  

The election of office bearers having been completed, John Morthland moved that certain resolutions, which were intended "to refute" the calumnies and obloquies of "placemen and pensioners", should lie on the table for consideration on a future day. The proposal was controversial only in so far as some delegates wished the resolutions to be debated without delay. Colonel Dalrymple, who, along with Muir, argued that the resolutions should be debated immediately, stated "that the whole association expected something to be done immediately", while Richard Fowler counselled caution, arguing that "It was our sole business - we stake our reputation and character upon it." Fowler's statement echoed that of Daer, who "was against the immediate and
precipitate consideration of a business of so much importance which might ruin the whole cause in twenty four hours."

The difference between the two sides was trifling and, when John Buchanan proposed that the resolutions be printed immediately and distributed among the delegates, it was agreed to discuss the business next day. The disagreement over the timing of the debate was insignificant; the unanimity on its crucial importance was not.

The first part of the first resolution, which declared the Friends of the People's "utter detestation and abhorrence" of "public discord" and an equal division of property and condemned as "wicked" the attempts of their enemies to brand them as the promoters of the former and the advocates of the latter, occasioned no debate. The second part of the same resolution, which declared the convention's determination to "maintain the established constitution of Great Britain on its genuinely acknowledged principles, consisting of... King, Lords, and Commons", caused a major argument. A number of delegates objected to the phrase "King, Lords, and Commons", while a certain "Mr. Allen" subtly suggested that they resolve to "acknowledge" rather than "maintain" the established constitution. Finally, after a vigorous debate, the resolution was passed "by a great majority", but when Simon Drummond, the editor of the 'Edinburgh Gazetteer', requested that the minority permit the resolution to be published as passed unanimously "many voices" answered "By no means."

22. IBID, 243.
23. The resolution is printed in Meikle, op cit, 247.
24. IBID, 248-249.
25. IBID, 249.
26. IBID, 249-250.
of delegates were unwilling to declare their allegiance to the tripartite Whig constitution, but equally clearly the "great majority" were determined to affirm the constitutionalism of their movement in as explicit a manner as possible. Moreover the debate illustrated the fragility of the movement's unity. Once vague political formulae were abandoned the divisions within the movement became apparent.

The advantages of employing vague phraseology became clear when the convention debated the third resolution.27 This stated that "very great abuses have arisen... from a neglect of the genuine principles of the Constitution" and that "these abuses have of late grown to an alarming height, and produced great discontents."28 Although it was suggested that they should specify what these abuses were, this was not pursued, and the resolution was passed unanimously.29 Unanimity was possible because the key phrases on which the meaning of the resolution turned were sufficiently vague to be acceptable to all sections of the movement. What these "principles" and "abuses" were was not discussed. The convention showed a like willingness to adhere to vague formulae when it came to debate the fourth resolution. This

27. The second resolution, which stated "That the members of this Convention will, to the utmost of their power, concur in aiding and strengthening the hands of the civil magistrate throughout the kingdom to repress riot and tumult, and all attempts whatsoever to disturb the tranquillity, happiness, and good order of society", was passed, apparently without debate. However this resolution gave rise to a motion, proposed by a "Mr. Allen", that the convention recommend the societies "to hold themselves in readiness to support the civil magistrate when required for the suppression of any popular tumults that may arise", and that "the associations should be properly provided with arms for that purpose". Allen was supported by Simon Drummond of the 'Edinburgh Gazetteer', who argued that every member should be equipped with a "'Brown Janet', with powder, ball, and bayonet", but opposed by "several others", and persuaded to withdraw his motion. The arguments employed by Allen's opponents are not recorded, but it seems likely that they centred on a concern that the convention's motives in recommending arming would be misunderstood. H.W. Meikle, op cit, 256, 260-261.


29. IBID, 250.
stated that "the essential measures to be pursued in order to remove these abuses" were, first, "to restore the freedom of election, and an equal representation of the people in Parliament", and, second, "to secure to the people a frequent exercise of their right of electing their representatives." The resolution having been read, a "country delegate" stated that he had been mandated "to insist that annual parliaments should be demanded, and that political equality [i.e. universal manhood suffrage] should be urged." This suggestion was opposed by Morthland, the Foxite advocate, who argued that "it would be time enough when Parliament allowed a Bill to be brought in for a reform to specify particulars; [and] that it was proper to wait for the opinion of their friends in England, whether annual or triennial Parliaments should be insisted for." How much support Morthland's opponents had is unclear, all that is certain is that the resolution as originally proposed was "carried". This outcome should not be seen as a defeat for the democrats, as the disagreement was largely tactical. It is probable that Morthland, and other Foxites, were unsympathetic to truly democratic reform, but it is significant that Muir, who was not, did not support the proposed amendment.

One of the reasons why many democrats like Muir wished the convention to adhere to a general statement of objectives was that they wanted to co-ordinate the Scottish petitioning campaign with that of the London Friends of the People. Such co-ordination would have been impossible had the Scots decided to petition for universal manhood suffrage. The convention having resolved that the proper method of

30. IBID, 248.
31. IBID, 250.
32. IBID, 250.
achieving reform was by petitioning Parliament,\textsuperscript{33} Skirving proposed that "the Friends of the People in Britain should unite in the application to Parliament both as to the extent of the reform to be demanded, and as to the manner of executing their petition" and that a delegation should be sent to London "to concert a common plan with the Friends of the People there."\textsuperscript{34} Skirving's proposals, which if implemented would have entailed a considerable delay before petitioning could have started,\textsuperscript{35} encountered strong opposition. This opposition was led by the Rev. T.F. Palmer who urged that "no time should be lost in petitioning Parliament", stating that an immediate campaign "would strengthen the cause of reform all over the country" and warning that "there was a great deal of danger in letting the spirit of the people cool by procrastination."\textsuperscript{36} The rank and file, it was argued, were "impatient" for a start to the campaign, and any delay would, it was feared, damage morale.\textsuperscript{37} Moreover, it is very likely that Palmer and

\textsuperscript{33} Although a "country delegate" proposed that the convention should petition the King rather than Parliament for reform, his appears to have been a voice in the wilderness. The fifth of Northland's resolutions, that "the proper and legal method" of accomplishing reform "is that of applying by petition to Parliament", appears, from the minutes, to have been passed without opposition. IBID, 243, 252-253.

\textsuperscript{34} IBID, 255.

\textsuperscript{35} Skirving proposed that the Glasgow and Edinburgh associations appoint committees which would meet weekly and send instructions to the delegation in London "from time to time", and that when "a common plan of operation" was agreed "a General Convention be called to approve or amend the same." IBID, 255.

\textsuperscript{36} IBID, 258, 269-270.

\textsuperscript{37} IBID, 258, 270.
his supporters were in part motivated by distrust of the London Friends of the People. The London society had kept a very low profile in recent months, and many delegates feared that they would prove less than reliable partners. When a "reverend delegate" acidly called upon the radicals "to attend Mr. Grey's motion, whatever it might be" his remark occasioned a "loud laugh." 38 Paradoxically there is some reason to believe that these fears were, to some extent, shared by those who wanted the convention to "wait the proceedings of the London Association, and adopt the forms of their petition." 39 Muir, who argued thus, also advocated that a committee be appointed immediately "to draw up a schedule" of a reform petition, and this committee was appointed, apparently without opposition, by the convention on Wednesday. 40 The next day the "schedule" was presented, approved, and "remitted back to the committee, to be put into the form appointed by the House of Commons; and thereafter transmitted back to the different societies for approbation." 41 No period was specified for the commencement of the campaign, and it was likely that the business of consulting with the individual societies would delay that commencement until the London society had been given every chance of sending their petition to Scotland. Yet it is probable that these proceedings were more than a device to placate those who wished to do something at once, while ensuring that the Scots were not "too rash in sending petitions in a premature state." While the convention resolved to co-operate with the London society in obtaining "a speedy and complete redress of our present grievances", they added that they would only co-operate in so far "as their principles and objects

38. IBID, 253.
39. IBID, 258.
41. Parl. Hist, XXXI, 875.
The Scottish movement was determined to preserve its freedom of action and was not prepared to give the London society carte blanche. If the London society remained true to the cause the Scots would co-operate with them, but if they did not the Scots would have their own petition ready to hand.

Petitioning could only achieve its objective if the petitions were signed and supported by the great majority of the population. To that end it was essential that the Friends of the People convince the rest of the population that reform was desirable and that the accusations of their opponents were unfounded. A start had been made prior to the convention with the declarations of the Edinburgh and Glasgow societies and these had been followed up in the convention itself with those resolutions referred to above declaratory of the movement's principles, which, according to Simon Drummond of the 'Edinburgh Gazetteer', had much impressed Henry Erskine with "their moderation and constitutional spirit." However it was insufficient simply to pass declarations and resolutions. The movement's principles had to be made known to as wide an audience as possible. The Edinburgh and Glasgow declarations had been published in the newspaper press, while, on Muir's motion, the convention agreed to publish "the whole minutes" of their proceedings, to appoint a committee to oversee the publication, and to distribute the "copies... all over the kingdom." The minutes were indeed published, but they were far from "whole". Anything which might have suggested that the convention was not wholeheartedly moderate

42. H.W. Meikle, op cit, 266.
43. IBID, 262.
44. IBID, 266.
Erskine may have been impressed by the resolutions, but the Government was not fooled. Spies had kept the authorities well informed of the convention's proceedings. 46

If the publication of the minutes was dictated by a desire to convince the general public of the movement's respectability, a similar propaganda proposal to establish a Committee of Publications was prompted by a wish to convince that public of the necessity of reform. This project had been first suggested at the Edinburgh delegate meeting on 5 December and had been referred to the convention 47 where Fowler moved that a committee be appointed "to select and publish such constitutional extracts from the most approved authors in favour of liberty, as would tend to promote the cause of reform by enlightening the minds of the people." 48 The end in view raised no objections, but the means proposed encountered such opposition as to force Fowler to withdraw his motion. 49 The centralism explicit in Fowler's proposal

45. The opposition to the inclusion of the phrase "King, Lords, and Commons" in the third of Northland's resolutions is not mentioned in the published minutes. Similarly there is no record in the published minutes of Allen's motion that the Friends of the People should arm themselves to assist in the suppression of riots and tumults, or of Fowler's motion that the delegates "should take the French oath, 'To live free or die'." Moreover the published account of the United Irishmen's Address (for a discussion of which, see below) is less than honest. There is no mention of the address' subject matter save that it provided "evidence of the union and philanthropy of the friends of reform in Ireland", nor is there any discussion of why it was opposed save for the disingenuous comment that "the reading of it was opposed, in point of form, the same not being before the House". In short, the minutes were 'laundered' before being presented to the public. For Fowler's oath see H.W. Meikle, op cit, 272, and for the published account of the debate on the United Irishmen's Address see Parl. Hist., XXXI, 873.

46. The minutes of the 1st Convention published by Meikle in Appendix A of his "Scotland and the French Revolution" are, almost exclusively, based upon the spies reports in the Home Office papers.

47. The Caledonian Chronicle, 7 December 1792.


49. IBID, 257.
was anathema to the Scottish radicals. As Col. Dalrymple put it: "Let individuals publish what they think most proper for the general cause, but let not the Convention dictate to the People." Control over propaganda was thus left in the hands of the local societies. This decision had serious consequences. In those areas where the Friends of the People were weak or non-existent the propaganda effort was necessarily limited, while overall the inefficient allocation of resources prevented the movement from competing effectively with the loyalists in the battle of ideas. The same opposition to centralisation is to be found in the convention's debates on organisational structure and finance. Although disappointingly little information is available about the former, it is known that the convention "recognised the right of individual societies to regulate their own internal order" and authorised "any ten towns... to call a general convention." In other words, the local societies were to be fully independent and Edinburgh was to have no monopoly on calling conventions. Similarly the debate on financial organisation left the local societies with complete control over their own finances. A move, initiated by Muir, to require each society to transmit a sum of money proportionate to its size to the General Committee of Finance, (which was but the Edinburgh finance committee under a different name), was defeated, with the result that the committee was starved of cash.

On 10 January 1793 a circular letter was issued requesting that "Donations for defraying the General Expences" be sent to Alexander Reid, the Treasurer of the General Committee of Finance, "from all the

50. IBID, 256.
51. IBID, 261.
52. IBID, 257.
Societies throughout the Kingdom", but this failed to elicit the hoped for response and by 6 February Reid was reporting that "he had as yet received only £14" while "the Expences amounted to above £60." As we shall see, these financial difficulties were in large part the consequence of declining membership, but the financial autonomy of the local societies contributed significantly to the plight of the General Committee.

The desire for wider public support and constitutional respectability lay behind a motion that the convention address the burgh reformers requesting them to co-operate with the Friends of the People in promoting a Parliamentary Reform. This motion was supported by those delegates with strong burgh reform connections such as William Bisset of Dundee and by Foxites such as Northland and Fowler, but it was strongly opposed by others on the grounds that earlier offers of co-operation had been rejected and that it would be "improper" to invite a particular category of men to join them. The outcome of the debate had wide implications for the future of the movement, which must have been understood even if they were not apparently articulated by the speakers. Had the proposal been acceptable, both to the convention and to the burgh reformers, the whole political balance of the parliamentary reform movement would have been altered. The accession of the burgh reform movement would have dimmed the radicalism of the Friends of the People and quashed any possibility of a future commitment.

53. Circular letter from W. Skirving, 10 January 1793. Home Office Correspondence (Scotland) RH2/4/69, f228.


55. The idea of addressing the county reformers had been given up, probably as a result of the proceedings at their convention on 12 December. The motion to address the burgh reformers was proposed on 13 December.

to universal manhood suffrage. It is probable that this was very much in the minds of the delegates on both sides of the question.

Moreover, at least some of the delegates would have been aware that any request for support which did not explicitly renounce universal manhood suffrage would have been coolly received by the burgh reformers. Some time previous to the meeting of the convention Thomas Muir had called on Archibald Fletcher to ask him whether he, and by implication the movement in which he took such a prominent part, would be willing to join with the Friends of the People.57 The details of their conversation are not recorded, but it seems clear that Fletcher impressed upon Muir his view that there was no support in the "country" for universal manhood suffrage and annual parliaments, that the Friends of the People would only succeed in creating "such an alarm in the country as must strengthen the Government", and that therefore he, and by implication the burgh reform movement, would not join them.58 Muir's hostility to the proposed address, and that of some others to whom he would have undoubtedly related his conversation with Fletcher, was probably grounded on the outcome of that meeting. Anxious as the movement was to secure maximum support, the majority of delegates were willing neither to compromise their radical principles nor to risk another humiliating rejection. The proposed address was therefore outvoted. This outcome left the radical burgh reformers and the Foxites in an increasingly difficult position within a movement unwilling to limit its objectives to the enfranchisement of the bourgeoisie and, consequently, incapable of winning that class' support.

58. IBID, 65.
Possibly even more controversial than the proposed address to the burgh reformers was the address of the Dublin Society of United Irishmen which Muir presented to the convention on Wednesday 12 December. This address, which with some justification was looked upon in Ulster as a masterpiece, "attacked" the Scots "on their weak side",\(^59\) by appealing to their notoriously exaggerated sense of national pride. Had the Dublin society contented themselves with referring to Scotland as "a Country so respectable for her attainments in Science, in Arts, and in Arms; for men of literary eminence, for the Intelligence & Morality of her people" and with appealing for international radical solidarity on the grounds that "those puerile antipathies so unworthy of the Manhood of Nations" should be cast off, then all might have been well.\(^60\) However the Irish radicals, who mistakenly appear to have seen in the Scottish movement a reflection of their own nationalism, illadvisedly recorded their joy "that you do not consider yourselves as merged & melted down into another Country but that in this great national Question you are still Scotland - The land where Buchanan wrote, and Fletcher spoke, and Wallace fought". Moreover the address referred to Scotland rising "to Distinction not by a calm contented secret Wish for a Reform in Parliament but by openly, actively, & urgently willing it with the unity & Energy of an Embodied nation" and added, in a phrase redolent of Paine, that "it is not the Constitution but the People which ought to be inviolable." To answer such an intemperate address would have been to expose the movement to the charge of revolutionary nationalism and to make a nonsense of the studiously moderate and constitutional resolutions which the convention


60. "Address from the Society of United Irishmen in Dublin to the Delegates for Reform in Scotland", 23 November 1792. Home Office Correspondence (Scotland) RH2/4/67, ff393-398. This address is printed in Parl. Hist., XXXIV, 615-617.
was about to pass. Consequently Muir's motion, that the address should lie on the table preparatory to an answer being drawn up, was fiercely and successfully resisted. However the evening sitting of the convention saw the issue, apparently dead and buried, resurrected. As in the earlier debate argument centred on the propriety and legality of the address, with Muir defending its constitutionality and Dalrymple, Bell, Fowler, Daer, Forsyth, and Morthland arguing "against meddling with it." In the event Muir bowed to his opponents, and agreed to withdraw the address and return it to Drennan that "the passages objected to... might be smoothed." The next day, in Muir's absence, "Mr. Drummond and a country delegate renewed the subject of the Irish Address", but to no avail, Dalrymple pointing out that "he understood it to be withdrawn." Clearly Muir was not alone in advocating an alliance with the Irish radicals. That the question of answering the Irish address was raised three times in all strongly suggests that those who favoured establishing close links with the Irish were a not insubstantial minority and that they held hopes of winning over a majority. Moreover while it was Muir who brought forward the business, other delegates were prepared, in his absence, to champion the address.

The establishment of a Scots-Irish radical alliance had much to recommend it. Despite the nominal independence of the Irish legislature, the reality of Ireland's constitutional subservience was well recognised. The same 'Old Corruption' which ruled Britain directly, governed Ireland indirectly. Consequently it was realised that the Irish

62. IBID, 257-259.
63. IBID, 260.
64. IBID, 261.
and British radicals shared a common political interest and that the success or failure of the radical movement in one country was of the greatest relevance to the other. However the convention concluded from the evidence of the Dublin address that the practical dangers involved in forging an alliance with the United Irishmen far outweighed the theoretical attractions.

In throwing out the address the convention was rejecting not only an alliance with the Irish but also the radical, some claimed treasonable, nationalism to which that address appealed. Muir's correspondence with Hamilton Rowan, which doubtless would have shed some light on his motives, has unfortunately been lost, and therefore it remains unclear whether he intended to employ the address as an issue on which to persuade the Friends of the People to adopt a nationalist position. However there is some evidence that Muir was not unsympathetic to the nationalist case. Leaving aside the memoranda which Muir drew up for the French Directory in 1798 and which might be objected to on the grounds that they represented a future development of his political ideas, it is interesting to note that when, at the 1st Convention, Muir argued that the movement should rest its claims on historical rather than natural rights, he ostentatiously avoided basing his argument on the Anglo-Saxon precedents beloved of so many radicals. He argued that the movement should seek only to restore the ancient Scottish constitution, stating that "he could prove that both England and Scotland were once possessed of a free Constitution" and claiming, so Aitchison tells us, "that the freedom of Scotland was equally ancient" with that of England.

And here an odd point arises. Aitchison, who seconded Muir's motion that

65. See Chapter Six.
66. H.W. Meikle, op cit, 250.
67. IBID, 251.
the Irish address lie on the table, 68 contended that the movement should base its historical arguments on the very Anglo-Saxonism rejected by Muir, stating "that by the English Constitution so long ago as the days of King Alfred, every free man had a vote in choosing his representatives" and arguing that "as one people [since the Union of 1707] we are entitled to the same privileges" as the English. 69 Clearly the debate over the Irish address cannot be regarded as a straightforward confrontation between unionist and nationalist radicals. Nevertheless it is equally clear that at least some of Muir's opponents saw the alarming spectre of Scottish nationalism in the whole business, with Fowler for one complaining that the address "contained high treason against the Union betwixt England and Scotland." 70 Moreover, shortly after the convention adjourned Lord Daer, (who had been "against the paper—being answered or even lying on the table") 71, wrote to Charles Grey warning of the danger from radical nationalism, outlining the nationalists' powerful arguments, and stating that "the Friends of Liberty in Scotland, have almost universally been enemies to Union with England." 72 The circumstances which prompted Daer to put pen to paper must be borne in mind when assessing how much weight to give his warnings, 73 but it is hard to

68. IBID, 245.
69. IBID, 251.
70. IBID, 259.
71. IBID, 246.
73. Daer’s letter was prompted by that from Grey to Skirving of 13 January, 1793 which stated that in England "I am afraid our supporters are not sufficiently numerous to render the attempt to procure petitions at present adviseable." IBID. There must be some suspicion that Daer exaggerated the strength of Scottish nationalism in order to convince Grey of the necessity of commencing the English reform petitioning campaign.
believe that these warnings were without foundation. 74

However if political nationalism had a more important place
in the history of the radical reform movement of the 1790s than Meikle
for one would allow, 75 it was far from holding the central position that
others have argued for it. 76 No society of the Friends of the People
published resolutions either explicitly or implicitly criticising the
union with England, while, with one exception 77, no radical handbills or
pamphlets argued the nationalist case. Radical publications tended to
refer not to Scotland, the Scottish constitution, and Scottish rights,
but to Britain, the British constitution, and British rights, while the
small amount of extant private radical correspondence does not suggest
that private opinions on this subject were markedly different from those
expressed in public. Moreover loyalist writers, who were usually none
too fussy about picking up sticks to beat the radicals with, did not
accuse the Friends of the People of conspiring to subvert the Anglo-
Scottish union. Thus, although some radicals may have desired the re-
establishment of Scotland's independence and some leaders, such as Muir,
may have hoped to convert the radical reform movement to nationalism,
the overwhelming bulk of the evidence suggests that their views had
little support within that movement.

74. See the nationalist arguments of James Thomson Callender which are
described in Chapter 2, pp. 142-144.

75. Meikle ignores the nationalist question in his discussion of the
Friends of the People and refers to it only obliquely in his account of
the United Scotsman. Meikle, op. cit, 175-177. The memoranda drawn up
by Muir in 1798 for the French Directory Meikle attributes, without any
evidence, to mental illness. IBID, 176.

76. P. Beresford Ellis and S. MacA'Ghobhainn. "The Scottish Insurrection
of 1820" (London, 1970), 56-57. J.D. Young, "The Rousing of the Scottish
Working Class", 42.

77. J.T. Callender, "The Political Progress of Britain".
At first sight radical indifference to nationalist arguments may appear surprising. Nationalism, or the right of nations to self-determination, was after all an integral part of the political ideology associated with the French Revolution. Yet the paradox is relatively easily resolved. Although the ancient national antagonisms that divided Scots and English were far from dead, and although many, perhaps most presbyterian Scots distrusted "prelatical England" as a threat to their civil and religious liberties, most Scots do not seem to have considered themselves as oppressed by the senior partner in the British union. This view should not be dismissed as hopelessly myopic. England rarely imposed legislation upon Scotland and, Union or no Union, the traditional Scottish governing classes kept their hands firmly on the reins, and profits, of political power. Thus whatever the failings of the political system in Scotland, the tendency was to blame not the Union of 1707 but the landed classes. When Scottish reformers criticised the Union of 1707 it was usually the "aristocratic" nature of the

78. Blind Harry's "Wallace", a fifteenth century poem of chauvinist content and epic proportions, which recounted the history of Sir William Wallace's heroic struggles against the English occupying forces in the 1290s, was, numerous commentators averred, the favourite book of "the vulgar" in late eighteenth century Scotland. R. Heron, op cit, II, 398; G. Robertson, "Rural Recollections", 98; "The Works of Robert Fergusson", 23. The reading of this work, Burns relates, "poured a Scottish prejudice in my veins which will boil along there till the flood-gates of life shut," ed J. De Lancey Ferguson, "The Letters of Robert Burns", I, 106. Such "prejudice" could lead to the sort of unpleasantness experienced by a young English traveller in Scotland in 1795 who, having crossed to the north side of the river Forth, asked for directions to a number of places on the south side of the river and had to endure "the Hissings, Hootings, and Reflections on myself and Country" of the local "Swinish Multitude" before the ferry was ready to return him to South Queensferry. P. Barber, "Journal of a Traveller in Scotland, 1795-1796." in The Scottish Historical Review, XXXVI, (1957), 35-36.

79. See, for example, A. Bruce, "A Historico-Politico-Ecclesiastical Dissertation", passim, and especially 134-135.

political settlement rather than the principle of Anglo-Scottish union which was attacked. 81

The last major item of business to come before the convention was a proposal from John Millar junior that "members of the Convention should go down in small parties and subscribe the declaration" of the Goldsmiths' Hall loyalist association, whose inaugural meeting had been held on 7 December 1792. Subscription, he argued, constituted "the best method of counteracting this invidious attempt" by the enemies of reform "to bring the cause of reform into discredit with the public, as if the Friends of the People were the friends of riot and sedition." 82

Some delegates doubted the propriety of the proposal contending that their subscription would "increase the number of the apparent enemies of reform", but an amendment that the delegates should add "A Friend of the People" to their subscriptions cleared the way for the acceptance of the proposal. 83 Initially subscription went ahead unhindered, 84 but a later delegation discovered that the Edinburgh Constitutional Association had decided that the Friends of the People were no longer welcome in the Goldsmiths' Hall. 85 Moreover the Association subsequently ordered that all those who had subscribed as Friends of the People should have their subscriptions erased. 86 The Goldsmiths' Hall committee could hardly have done otherwise. To permit such subscriptions would have made a nonsense of their declaration, which, while it did not accuse

81. See, for example, P. Bannerman, "An Address to the People of Scotland", 19-20.
82. H.W. Meikle, op cit, 267.
83. IBID, 268.
84. IBID, 268.
85. IBID, 270-271.
86. Howell, State Trials, XXIII, 134. See also R. Dundas to H. Dundas, 15 December 1792. Home Office Correspondence (Scotland) RH2/4/66, ff340-341.
the Friends of the People by name, was understood and was intended to be understood as pointing the finger of sedition at them. To loyalist eyes declarations of the reformers' loyalty were not worth the paper they were written on.

There were no advertisements in the newspaper press giving advance notice of the inaugural meeting of the Edinburgh Constitutional Association. The reason for this was simple: the organisers had no intention of inviting the general public. The birth of the Edinburgh Constitutional Association was a private, gentlemanly affair, from which the hoi polloi were excluded. In this respect as in others it was typical of most of the meetings called during the winter of 1792-1793 to pass loyalist resolutions and form loyal associations. The counties, burgh councils, chambers of commerce, merchant guilds, trades houses, trade incorporations, presbyteries, synods, and gentlemen's societies which met to declare their determination to uphold the constitution with their lives and fortunes, denounce sedition, and pledge their assistance in suppressing sedition, riots, and tumults may be considered as representative of the political opinions of the propertied classes, but not of the country as a whole. Where the lower orders had an opportunity to express their own opinions, or where they made their own opportunity, the outcome was usually somewhat different.

Even within the exclusive meetings the cause of reform was far from friendless and the reformers were able on some occasions to win significant concessions. When, on 6 December, the Fourteen Incorporated Trades of Edinburgh met to consider a set of resolutions denouncing the Friends of the People as the fomenters of disturbances and riots, such was the opposition, both from reformers such as Mitchell Young and from others who were not involved in the reformers' societies but were "acquainted with several of their numbers", that the offending resolution
had to be dropped and replaced by one promising merely to assist the civil authorities if riots should break out. The 'Caledonian Chronicle' congratulated the Friends of the People "on this complete and important victory", while the 1st Convention thanked both Mitchell Young and Convener Lindsay for their "spirited defence of the Friends of the People" and "expressed their sense of the benefit which was done to the cause by the patriotic conduct of that meeting at large." On 10 December the Trades House of Glasgow met to declare their loyalty to king and constitution, pledge their lives and fortunes in support of both, denounce "wicked and inflammatory writings... having a manifest tendency to excite and introduce a spirit of tumult and disorder", and resolve "to assist the Magistrates in suppressing all unlawful and seditious assemblies within the city, and in bringing to justice every disturber of the public peace." These resolutions were unanimously agreed to, but an amendment was moved and "supported by several members" which aimed to alter dramatically their import. This amendment stated:

"That nothing could strengthen the executive power more than a perfect cordiality between the governors and the governed; and that a well-timed reform, both in Parliament and in the internal government of the Royal Burghs of Scotland, would have a happy tendency to promote that very desirable object."

87. The Glasgow Advertiser and Evening Intelligencer, 7-10 December 1792, and The Caledonian Chronicle, 7 December 1792.

88. The Caledonian Chronicle, 7 December 1792.

89. H.W. Meikle, op cit, 270.

90. Parl. Hist, XXXI, 876.

91. The Glasgow Courier, 11 December 1792.
The amendment was opposed on the grounds "that it would be as well not to clog the resolutions at present, and that it [i.e. a pro-reform resolution] would come more properly from the house at an after period" and, after some debate, it was put to a vote and defeated.92 However despite this defeat it is important to recognise that the reformers were sufficiently strong both to force their opponents onto the defensive in debate and to necessitate a vote being taken on their amendment. The next day the Glasgow Merchant Guild met to declare their loyalty to the king and constitution and to resolve that they would act "to discourage all publications, or any other measures that may be employed, to excite discontent and tumult."93 The meeting was unanimous but for "two patriots" who "insisted that we should say 'we were not enemies to Constitutional Reform at a proper time.'" These "patriots" were informed that the Guild "considered the word Reform in the present times as tantamount to Rebellion & that it could not be admitted into our resolutions."94 This outcome represented a crushing defeat for the reformers, but the tables were turned only three days later at a meeting of the "Merchants, Traders, Manufacturers, and other respectable citizens of Glasgow" in the Merchants Hall. Andrew Stirling of Drumpellier, "a very extensive manufacturer,"95 merchant,96 and Friend of the People, attacked the proposed Merchants Hall resolutions for accusing the reformers of fomenting sedition and insurrection, and

92. IBID.

93. IBID.


95. C. Adam, "Political State", 224. He held an independent vote in Lanarkshire.

proposed an amendment which stated that "from the lapse of time and other circumstances, abuses have crept into the [British Constitution], which we trust the wisdom of Parliament will in due time redress." Stirling's amendment was opposed on the defensive and specious grounds that there was "nothing" in the original resolutions "unfriendly to reform, nor anything which should prevent a man who signed them to-day from going to a Constitutional meeting for reform to-morrow." Such arguments failed to dupe the reformers and an impasse was reached. Alexander Park, a writer, seeking to find "an accommodation between both parties", moved "that the Resolutions, in so far as they expressed our attachment to the Constitution, should be adopted in their fullest extent, with the following addition or amendment, 'the more especially as we are convinced, that if any abuses have crept into it, the Constitution contains in itself the means of rectifying them.'" From a reformer's point of view Park's amendment was not totally satisfactory, but it probably represented the best that could be obtained in the circumstances and was therefore supported by Stirling and his allies and passed unanimously.

The meeting of the noblemen, freeholders, and heritors of Lanarkshire at Hamilton on 10 January 1793 found Andrew Stirling and his friends arguing the former's case once more, but with less success. In a meeting attended in all by 161 gentlemen only nineteen could be found to support a pro-reform resolution moved by Lt. Col. Dalrymple of

97. The Glasgow Courier, 20 December 1792.

98. IBID. The Home Office was informed of this unsatisfactory outcome to the Merchants Hall meeting, see Home Office Correspondence (Scotland) RH2/4/67, f403.
Cleland and seconded by Martin Dalrymple his son. Among the landed classes even this limited degree of support for parliamentary reform appears to have been unusual. More typical of the county meetings held at this time was that of Dumbartonshire on 29 December 1792. There no pro-reform sentiment appears to have surfaced and instead the meeting passed an uncompromising resolution explicitly denouncing the 'Friends of the People.' The gentlemen of Dumbartonshire resolved

"That as various efforts have been lately made by wicked and designing men, falsely calling themselves 'Friends of the People,' to spread sedition in some parts of this kingdom, which evidently tends to endanger the very existence of our excellent constitution, by promoting riots and insurrections, we think it our duty to declare, that we will use every exertion in our power as Magistrates and good subjects to disperse all disorderly and tumultuous meetings, should any such come to our knowledge."

The reformers could count on only negligible support from the landed classes and the merchant guilds, and even less from the ruling oligarchies within the burghs and from the clergy of the Church of Scotland. However support was more forthcoming from within the trade incorporations.

We have already seen how the meeting of the Fourteen Incorporated Trades of Edinburgh issued in a limited victory for the reformers, and how the Glasgow reformers mounted a partially effective rearguard action at the Trades' and Merchants' Hall meetings. The outcome of these meetings was reflected in the resolutions of the individual

99. The Glasgow Courier, 15 January 1793. The proceedings of the Lanarkshire meeting were communicated to the Home Office, see Home Office Correspondence (Scotland) RH2/4/68, ff131-136.
100. The Caledonian Mercury, 3 January 1793.
trade incorporations. While the majority of trade incorporations framed their resolutions along loyalist lines, few employed the intemperate terminology of Reeves' Association, and a not insignificant minority chose to declare not only their loyalty to the constitution and their willingness to assist in the suppression of riots but also their approval of the parliamentary reform movement. On 14 December 1792 the Glasgow Incorporation of Hammermen met and declared their loyalty to the constitution "as fixed at the Glorious Revolution in 1688" and their reprobation of "every libellous and seditious publication which tends to disturb the peace of society." Nevertheless, they added, "where we see writings of merit, tending to enlighten mankind and improve society, we think the authors entitled to the good countenance of the community", and, while the incorporation was willing to assist in the suppression of riots, "we are happy to say that not the least symptoms of mobs and riots in these times have made the smallest appearance in this place." 101 What was 'coded' and implicit in the resolutions of the Hammermen was explicit in those of the Glasgow incorporations of Wrights and Skinners who met on 17 and 20 December respectively. The Wrights resolved that "although we are... firmly attached to the Constitution, we are decidedly of opinion that abuses have crept into it: and we hope that the wisdom of the Legislature will bring forth a speedy and reasonable reform, in a more equal Representation of the People, and also a reform of the internal government of the Royal Boroughs of Scotland." 102 These sentiments were echoed by the Skinners who, having declared their attachment to the constitution and their willingness to assist in the suppression of

101. The Glasgow Advertiser and Evening Intelligencer, 13-14 December 1792.
102. The Caledonian Mercury, 24 December 1792.
riots, resolved that

"When we thus express ourselves, we would not be thought disposed to convey even the appearance of reflection on any class of men who, in a temperate and constitutional manner, have associated or may associate for the laudable purpose of obtaining redress of real grievances, as we consider those, who thus act from principle, the best friends of our country, and justly entitled to the appellation of the Friends of the People."103

In Edinburgh the Incorporation of Fleshers and Candlemakers met on 14 December and, having declared "that this Incorporation is firmly attached to the King and Constitution", resolved "that Reform in some degree may be necessary, and [they] trust that the wisdom of the Legislature will, of itself, adopt such measures as will insure peace and happiness to Great Britain."104 Three days later the Incorporation of Hammermen in Canongate assembled and resolved "That some reform is necessary."105

It was not just in the great cities of Edinburgh and Glasgow that trade incorporations stood forth in defence of the reformers. On 26 December, for example, a meeting of the Incorporations of Weavers, Taylors, Hammermen and Shoemakers of the Burgh of Peebles resolved "That while we cordially approve of the present Constitution of Government... we are at the same time sensible of evils having crept into it which it is necessary should be remedied, for the advancement of the happiness of the people at large."106 Two days later the Kilmarnock Incorporation of Shoemakers met to pass resolutions in support of the

103. The Glasgow Advertiser and Evening Intelligencer, 21-24 December 1792.
104. The Caledonian Mercury, 15 December 1792.
105. The Caledonian Mercury, 20 December 1792.
106. The Caledonian Mercury, 31 December 1792.
constitution and in favour of an equal representation of the people in parliament and a shorter duration of parliamentary delegation. 107

On 31 December the Incorporation of Weavers in Strathaven resolved "that it [i.e. the constitution] is greatly degenerated from its original purity, and that innumerable abuses are constantly creeping into it, whereby we are laid under the disagreeable necessity of joining with the Friends of the Constitution and of the People, in supplicating the throne, first, for an equality of representation, and, secondly, for a shorter delegation of Parliament." 108

Nevertheless, while it is important to note the existence of pro-reform sentiment within the trade incorporations, it would be foolish to exaggerate its strength. While the moderate and restrained language of many of the incorporations' resolutions may indicate the presence of sizable numbers of reformers whose sensibilities had to be taken into account by the respective meetings, relatively few incorporations openly declared their support for the parliamentary reform movement. All in all the evidence strongly suggests that the reformers were in a clear minority within the trade incorporations. 109


109. For example, of the resolutions of the nine Glasgow incorporations which have come to light, only three, viz. those of the wrights, hammermen, and skinners, were friendly towards the reformers. Those of the coopers, barbers, weavers, maltmen, cordiners (i.e. shoemakers), and taylors were loyalist in character. For the resolutions of the loyalist incorporations see 'The Glasgow Advertiser and Evening Intelligencer', 10-14 December, 14-17 December, and 21-24 December 1792, and 'The Glasgow Courier', 15 December 1792.
The political opinions of the propertied classes, as expressed in the resolutions of the great majority of exclusive meetings, were greatly at variance with those of the lower orders. Where meetings were open to the general public the outcome was rarely to the liking of the "lives and fortunes" loyalists. One such meeting was held, at short notice, in Edinburgh on 15 December. Notwithstanding the shortness of the notice given a substantial number of reformers attended the meeting, but the unscrupulous management of proceedings by those presiding prevented the adoption of reform resolutions. Unable to pass the desired loyalist resolutions because of the pro-reform majority, the loyalist organisers, having appointed a committee to prepare resolutions for a future meeting (which was held at even shorter notice to prevent reformers attending in large numbers), adjourned the meeting. 110

Similar steps appear to have been taken to 'manage' a public meeting in Perth, 111 but there the attempt was unsuccessful. This meeting, which took place on 18 December, attracted a crowd estimated at two thousand in number, 112 and had on that account to be moved from the Court-room to the more spacious West (St. John's) Church. 113 Having resolved to

110. The Edinburgh Gazetteer, 25 December 1792.

111. It was reported that "The design of the gentlemen who originally proposed this measure appears to have been to obtain a set of Resolutions, reflecting on those societies which at present are injuriously termed, by a certain party, Republicans and Levellers. According to our information, some steps had been previously taken to smuggle a meeting, by dispersing only a few advertisements, and by securing the assistance of a disciplined phalanx. The project took air, the place of meeting was instantly crowded, and a debate ensued between some of the members of the two different parties. A Committee was at length appointed to draw up a list of Resolutions, and the inhabitants were assembled next day, in order to examine them." 'The Glasgow Advertiser and Evening Intelligencer', 21-24 December 1792.


113. The Edinburgh Gazetteer, 25 December 1792.
declare their attachment "to the Constitution as established in 1689", the meeting passed "by a great majority" two amendments calling for parliamentary reform which had been proposed by George Meliss of the Perth Friends of the People. 114 These amendments, one government correspondent explained, were "contrary to the Inclinations and Sentiments of the most respectable people" and were only passed because Meliss had "hundreds of Weavers and others at his back." 115 Nothing however could be done to change the outcome, and Sheriff-depute Smyth commented resignedly - "we must just put up with our defeat." 116 The same day as this meeting was taking place in Perth the inhabitants of the parish of Ormiston (East Lothian) gathered to pass resolutions declaring that abuses had crept into the system of parliamentary representation and urging "the duty of all good citizens to join in demanding from the wisdom of the Legislature, by every constitutional means in their power, a complete amendment of those abuses." 117 Whereas the outcome in Perth was greeted with loyalist resignation, the Ormiston meeting served to infuriate the parish minister, the Rev. Alexander Colvill, who had called it, 118 and he wasted little time in calling another. To Colvill's relief this second meeting, which was held on 31 December, did indeed pass the desired loyalist resolutions, but as these resolutions were supported by only sixty four votes the meeting had little claim to represent the views of the parish. 119

115. Anonymous information on Perth radicalism in Home Office Correspondence (Scotland) RH2/4/64, ff341-343.
117. The Edinburgh Gazetteer, 21 December 1792.
118. It might be noted that the meeting cheekily thanked Colvill "for calling us together from the pulpit."
119. The Edinburgh Gazetteer, 4 January and 5 February 1793.
These meetings in Edinburgh, Perth, and Ormiston provided but a taste of what was to come. On 21 December a general meeting of the inhabitants of Greenock, which had been called by the magistrates, appended to a series of loyal resolutions one calling guardedly for "such reform as may tend to preserve the constitution" and another opposing war with France. 120 The inhabitants of Newmilns, Darvel, and the parish of Loudon assembled on 4 January 1793 and, having rejected a series of loyalist resolutions submitted by some "Gentlemen", resolved in favour of a full representation of the people and a shorter duration of parliaments. 121 These proceedings were mirrored by those at a meeting held on the same day in nearby Galston. There too a series of loyalist resolutions, proposed by the parish minister, were thrown out by the meeting, which denounced "the corruption and venality of the State" and "the tyranny of the Church", 122 and announced its intention of joining with the Friends of the People in petitioning Parliament for an equal and full representation of the people, and a shorter duration of parliamentary delegation. 123 On 21 January 1793 the inhabitants of

120. The Glasgow Courier, 22 December 1792. The resolution relating to reform stated "That we are confident the Constitution has abundant vigour in itself to correct any deviation from its true spirit, which, through lapse of time, may have crept in, and which may bear hard upon some classes of our fellow citizens; and we rely on the wisdom of his Majesty, and both Houses of Parliament, that they will adopt such reform and melioration, as may tend to preserve the Constitution, and continue its blessings to us and our latest posterity." Although nothing is known about how the meeting came to adopt this resolution, there must be some suspicion that, like that proposed and carried at the Glasgow Merchants' Hall meeting, it was a compromise designed to accommodate both reformers and conservatives.

121. The Glasgow Advertiser and Evening Intelligencer, 4-7 January 1793.

122. The meeting expressed its "detestation and abhorrence of the tyranny of the Church, as it hath manifested itself, by thrusting in persons upon reclaiming congregations, which is against scripture and reason, tending to the hurt and scandal of religion, and is often productive of riots and disorders."

123. The Glasgow Advertiser and Evening Intelligencer, 4-7 January 1793.
Ochiltree parish met to resolve that "several errors have crept into the government of this country both in the civil and ecclesiastical departments" and "that a remedy for these grievances will be found in a more general extension of the right of election, in a more equal and full representation of the people, and in a shorter duration of parliaments." 124 Four days prior to the Ochiltree meeting a crowd estimated at "upwards of five hundred people" assembled in Strathaven to declare their support for the liberty of the press and their opposition to war with France, and to resolve that

"though the House of Commons ought to be the Representative of the whole People, as it originally was of all who paid taxes; yet there is not one of a thousand of the People of Scotland represented [and] a majority of the House of Commons is chosen by about six thousand electors. There is not a person in this populous parish represented; the same is the case with the parishes of Glassford, Stonehouse, and several other neighbouring parishes. For which causes, we unanimously resolve to join the Friends of the Constitution and of the People, throughout Great Britain, in every Constitutional and Lawful measure, for obtaining an equal representation of the People in Parliament." 125

No general meeting of the city of Glasgow as a whole appears to have been held in this period, but local meetings were held in Bridgeton and Calton on 10 and 15 January respectively at which resolutions were passed in favour of parliamentary reform and in opposition to war with

124. The Glasgow Advertiser and Evening Intelligencer, 25-28 January 1793. Like the inhabitants of nearby Galston those of Ochiltree "lamented a rigorous exercise of patronage, by which the Church hath been greatly rent."

125. The Edinburgh Gazetteer, 29 January 1793.
France. January 24th saw a meeting of the inhabitants of Mid Calder (Midlothian) and "the country adjacent" pass a series of radical resolutions defending the right of political association and the liberty of the press, opposing war with France, and supporting the reform of parliament. The month of January also witnessed three public meetings in Tayside region. The first at Dundee, on 8 January, was attended, according to one hostile witness, by "2000 all of the lowest of the people" and was described as "the most numerous meeting of the Inhabitants of the Town... ever known to have come together on any public business." The Rev. James Donaldson, the Berean minister in Dundee and a prominent member of the Dundee Society of the Friends of the Constitution, unsuccessfully proposed that the meeting adopt the resolutions of his society, while a certain Mr. Davidson

127. The Edinburgh Gazetteer, 29 January 1793.
128. Intelligence report on a meeting of the inhabitants of Dundee, 8 January 1793. Home Office Correspondence (Scotland) RH2/4/68, ff96-99. 'The Edinburgh Gazetteer' of 18 January 1793 claimed that the meeting had been attended by over 2,500 people.
129. The Caledonian Mercury, 14 January 1793.
130. James Donaldson had preached at the Berean meeting house in London before moving to Dundee. After the death of John Barclay (1734-1798), the sect's founder, he took over the ministry of the Berean congregation in Edinburgh, where he remained in charge for twenty five years until his own death. ed. J.D. Douglas. "The New International Dictionary of the Christian Church". (Exeter, 1974), 122. It was claimed that Donaldson had been a shoemaker prior to entering the Berean ministry. 'The Caledonian Mercury', 5 December 1793. For a discussion of the Calvinistic theology of the Bereans, see J.D. Douglas, op cit., 103 and 122.
131. He was delegated by the society to the 3rd Convention. Howell, "State Trials", XXIII, 392. He was president of the Dundee Friends of the Constitution, 26 June 1793. 'The Edinburgh Gazetteer', 27 July 1793.
132. There is some uncertainty concerning Davidson's identity. The spy's report on the proceedings of the Dundee meeting describes Davidson as a minister of the Church of Scotland. This would seem to identify him with the Rev. David Davidson (1749x1750-1825), the minister of the South Church in Dundee since 1782 and "the most popular preacher in Dundee of his time." H. Scott, "Fasti Ecclesiae Scoticane. The Succession of Ministers in the Church of Scotland from the Reformation", V, (Edinburgh, 1925), 322. However Robert Graham of Fintry, who knew Dundee well, referred to him as "William Davidson" and made no mention of his clerical status. Robert Graham to Henry Dundas, 10 January 1792 [rectius 1793] SRO Melville Papers GD51/5/185.
proposed that the loyal resolutions of the recent Forfarshire meeting should be adopted. "That incendiary"\textsuperscript{133} Davidson's proposal was not all that it might seem. He informed the crowd that

"he heartily agreed with the 2nd Resolution which expressed their affection to the Constitution as Established at the Revolution - Here says he the Gentlemen of the County of Forfar are determined to have Triennial Parliaments - Here says he the Gentlemen of the County of Forfar are determined to do away Pensioners except in cases of necessity - Here says he the Gent\textsuperscript{n} of the County of Forfar are determined to abolish patronage."\textsuperscript{134}

"All this", the government's informer added, "was intentionally to ridicule the Gentlemen of the County of Forfar, and never intended that they should be adopted." Instead, the meeting, having declared their loyalty to the constitution as settled at the Glorious Revolution, resolved "That cordially as they are attached to this excellent form of Government, they do not think it required of them as a test of loyalty, to pronounce it perfect, or to condemn those persons and societies, who by dutiful applications to the Legislature, desire to have their grievances attended to, and redressed." Moreover, the resolutioners declared that they could "discern among no set of people in the town, or in the whole parish, any propensity to riot, any republican or levelling principles, or any general disposition inconsistent with the peaceful and industrious spirit, by which the inhabitants have long and justly been distinguished."\textsuperscript{135} If the outcome of the meeting was not entirely

\textsuperscript{133} Robert Graham to Henry Dundas, 10 January 1792 [rectius 1793]. Loc cit.

\textsuperscript{134} Intelligence report on a meeting of the inhabitants of Dundee, 8 January 1793. Loc cit.

\textsuperscript{135} The Caledonian Mercury, 14 January 1793; and The Edinburgh Gazetteer, 18 January 1793.
satisfactory from a radical point of view, the radicals drew much more comfort from it than did the conservatives. The Friends of the People drew even more comfort from the resolutions passed by meetings held in Montrose and Forfar on 14 and 16 January respectively. The Montrose meeting, which was attended by "about two thousand" people, resolved "that grievances do exist in the Democratic part" of the constitution "which call aloud for Reform", that "in this part of the country, there exists no real cause of alarm or anxiety for the peace and tranquillity of the kingdom from the late introduction of speculative opinions and writings on Government", and that "a continuation of the blessings of peace will most effectually promote the happiness and prosperity of the people."\textsuperscript{136} Approximately one thousand people attended the meeting of the town and parish of Forfar where resolutions were passed declaring that "abuses and dangerous innovations have, through lapse of time and other causes, crept into the Constitution", announcing their intention "to prosecute a reformation of these abuses", and opposing war - "the greatest calamity that can befall a commercial nation."\textsuperscript{137}

The loyalist reactionaries generally received short shrift from those public meetings which were held in urban areas or in rural parishes where a high proportion of the population was engaged in trade and manufacture, although examples do exist of apparently popular meetings in such places passing impeccably loyalist resolutions.\textsuperscript{138} However in

\textsuperscript{136} The Caledonian Mercury, 21 January 1793.

\textsuperscript{137} The Caledonian Mercury, 24 January 1793.

\textsuperscript{138} For example, the heritors and inhabitants of Culross met on 13 December 1792 and, having declared that they would support and defend the "present Constitution... at the risk of our lives, against all Republicans and Levellers, and that we will defend our properties against all plunderers, who may attempt to rob us upon principles of equality", called upon the reformers to "postpone every reform, except the necessary reformation in our own lives and conduct, until it has pleased God to remove the dark cloud which now hangeth over the nation". 'The Glasgow Courier', 20 December 1792. Nowhere, however, does it appear that such resolutions were passed by meetings called by and presided over by those whom the radicals termed the people themselves.
those rural parishes which were predominantly agricultural or pastoral in character the picture was more complicated. We have already seen how the inhabitants of the predominantly agricultural parishes of Ormiston and Ochiltree passed pro-reform resolutions. These parishes were not exceptional. The inhabitants of East Linton (East Lothian) assembled on 29 January 1793 and, having elected John Hepburn, a farmer and an active member of the local society of the Friends of the People, as their "preses", resolved in favour of a "more impartial Representation of the People in the House of Commons", shorter parliaments, and an extension to the liberty of the press. On 4 February 1793 a "great number" of the inhabitants of Newlands parish (Peeblesshire) met together to resolve to petition parliament for a "free, full and equal Representation of the People in Parliament, with a shorter duration of its delegated power... [as] the only means by which our excellent Constitution can be restored to its native vigour and primitive purity." Four days later the inhabitants of the adjacent parish of Kirkurd (Peeblesshire) resolved to petition parliament for reform, to oppose war with France, and to support the liberty of the press. The radicalism of such parishes was not exceptional, but neither, it appears, was it typical. Agricultural parishes were, it seems, as likely to pass loyalist as reformist resolutions. On 17 December 1792, for example, "a very

139. For the agricultural character of Ormiston and Ochiltree parishes see O.S.A., IV, 170, and V, 449.
140. The Edinburgh Gazetteer, 8 February 1793.
141. For Newlands parish see O.S.A., I, 149-151.
142. The Edinburgh Gazetteer, 15 February 1793.
143. For Kirkurd parish see O.S.A., X, 179-182.
144. The Edinburgh Gazetteer, 15 February 1793.
numerous meeting of the inhabitants of the neighbouring parishes of Abercorn and Ecclesmachen" (West Lothian) resolved "That those people who have formed themselves into associations, avowing specious and popular designs, and who have... industriously disseminated opinions and principles tending to disturb the peace and overturn the Government of the country, merit the disapprobation and opposition of all good citizens, and are to be held the Enemies and not the Friends of the People." There must however be some question as to whether resolutions such as this reflected more the views of the heritors and established clergy than those of ordinary parishioners. In this connection it is important to remember that meetings in rural areas were generally called by the parish minister, who together with the local heritors (if any were resident) presided over the meeting and presented previously drafted resolutions for its approval. For any farmer on a short lease, or any farm servant on a short-term contract, to stand up at such a meeting and propose amendments favouring reform, would have been to hazard the wrath of the local landowners and put at risk his own economic security. It was one thing for the relatively independent artisans of Galston and Newmilns to oppose the loyalist resolutions of their ministers and landlords, it was quite another for economically vulnerable farmers and farm servants to attempt the same thing. Nevertheless, no agricultural parish would have passed pro-reform resolutions if the fear of victimisation was the only factor involved. Doubtless many factors came into play at such meetings. The political opinions of those present, the character, or perceived character, of the minister and the individual heritors, the degree of organisation among those, if any, favouring parliamentary reform, and the quality of popular leadership

145. The Caledonian Mercury, 27 December 1792.
could all influence the outcome. Yet in the final analysis that outcome was loaded in favour of the loyalists. They were in the political driving seat, and only an organised and confident majority could hope or dare to unseat them. That they were unseated on so many occasions even in those parishes where their economic and social power might have been expected to have ruled supreme is striking testimony to the strength of support for parliamentary reform in Scotland.

The reaction of 1792-1793 was not popular in character. Prominent Scottish radicals were free from both the reality and the threat of popular violence which their colleagues in England were subject to. Similarly, in contradistinction to the situation south of the border, there is little evidence of open popular hostility to Paine. The numerous resolutions passed during this period by both reform societies and, more significantly, popular meetings in support of the liberty of the press suggest that Paine's 'Rights of Man' was widely seen as a useful contribution to political debate rather than a fit subject for a public bonfire. Indeed, the 'Edinburgh Gazetteer' could claim with some justification that "Government has been at much trouble to recommend Paine to the Scotch as the only fit subject of Conflagration in Effigy; but, how or other, they still prefer Dundas." There were no meetings...

146. For the situation in England at this time see A. Goodwin, op cit, 265.
147. The only known Scottish case of an effigy of Paine being burnt during the period of the loyalist reaction was at Auchtermuchty in early January 1793. 'The Glasgow Advertiser', 4-7 January 1793. In England the situation was radically different. "Every Town in the country", Henry Dundas informed the Earl of Hopetoun from London on 23 December 1792, "seems disposed to burn Thomas Paine in effigy". Historical Manuscripts Commission. Fifteenth Report, Appendix, Part IX. The Manuscripts of J. J. Hope Johnstone, Esq. of Annandale. (London, 1897), 132.
148. These resolutions were passed in response to the conviction of Thomas Paine for seditious libel on 18 December 1792 and the boasted objective of the Reevite associations "to suppress seditious Publications."
149. The Edinburgh Gazetteer, 1 January 1793.
in Scotland similar to those in England where plebeian Tories drafted their own loyalist resolutions. Where, as in Ecclesmachen, the lower orders gave their 'support' to such resolutions, they did so at the behest and under the auspices of the local minister and landowners. More often than not the lesser ranks of society were not invited to give their opinion at all. "The nobility, gentry, men in civil office, and of late the clergy", the Rev. Archibald Bruce caustically remarked, "have done them [i.e. the people] the favour to express their sentiments for them, instead of allowing them to do it for themselves in their own way." Where the lower orders were allowed to express themselves or where they created their own opportunities the invariable consequence was, as we have seen, not the passage of loyalist but of pro-reform resolutions. The conclusion which Bruce drew from these events, while subject to some qualification, remains a reasonably accurate assessment of the state of Scottish political opinion in this period. He stated that "scarce was there ever a more complete separation in dispositions and views, than between the higher and lower classes of people in Britain, at least in Scotland, as to some of these agitated questions." The Friends of the People may not have had a mass membership, but all the evidence suggests that they had a large measure of popular support.

The "complete separation in dispositions and views" remarked on by Bruce was well illustrated by the history of the loyalist

150. The Earl of Carysfort informed Lord Grenville, the Foreign Secretary, on 10 December 1792 that the local friendly societies "had already taken up the business among themselves, and were eager to testify their loyalty." Historical Manuscripts Commission. The Manuscripts of J.B. Fortescue, Esq., Preserved at Dropmore. Volume II, (London, 1894), 354.

151. A. Bruce, "Reflections of the Freedom of Writing", 157.

152. IBID, 158.
associations which sprang up in Scotland during the winter of 1792-1793. These associations which were far less numerous than in England, were established and subsequently managed by men prominent within their respective localities. Landowners, lawyers, civil office holders, local government officials, businessmen, Church of Scotland clergymen, surgeons, and, in country districts, farmers took a leading part in these associations, the lower orders did not.

The guiding lights behind the shadowy Inveresk (Musselburgh) loyalist association were Sir Archibald Hope of Craighall, Bart. and the Rev. Alexander Carlyle, who "carried on this business with so much zeal and activity" and held the offices of chairman and secretary respectively, while John Wauchope (1751-1828) a "much employed" writer to the signet and the younger brother of Andrew Wauchope of Niddry, a gentleman of "good estate... connected with Mr. Dundas," was "the person who was most active in establishing the [Edinburgh] association." The inaugural meeting of the Edinburgh association saw the appointment of three office holders. Sir John Inglis of Cramond, an extensive landowner and voter in both Midlothian and Lanarkshire, who was "connected with Dundas," was elected chairman, John Wauchope took up the office

153. The 'Gazetteer' commented, "With respect to England the Association Humbug has certainly succeeded; in Scotland and Ireland the trick don't take." 'The Edinburgh Gazetteer', 1 January 1793.

154. It was reported that "An Association of Persons friendly to the present Constitution is at present forming at Coupar of Angus. The Members are principally Farmers, and are headed by Mr. Murray of Lintrose, Capt Murray his son, Mr. Nairne of Drumkilbo and some other Gentlemen in the Neighbourhood." Anonymous undated intelligence report to the Lord Advocate. Home Office Correspondence (Scotland) RH2/4/64, ff341-343.

155. The Caledonian Mercury, 29 December 1792.

156. C. Adam, "Political State", 108.

157. Elizabeth Dundas to Henry Dundas, 10 January 1794. NLS M'Alville Papers MSS 14838, ff96-98.

158. C. Adam, op cit, 115, 222.
of secretary, and Bain Whyt (1747-1818), another writer to the signet, was appointed Wauchope's assistant.\textsuperscript{159} All three were elected onto a management committee, comprising six landowners, five lawyers, two bankers, a merchant, and a surgeon.\textsuperscript{160} This committee included Sir William Miller of Glenlee (1755-1846), the son of the late Lord President of the Court of Session, who owned an extensive estate in Kirkcudbrightshire\textsuperscript{161} and was politically allied with Administration;\textsuperscript{162} Major General Ralph Abercromby of Tullibody, a Clackmannanshire landowner and a member of the important Abercromby of Brucefield family;\textsuperscript{163} William Ramsay of Barnton, who had "made his fortune as a Banker in Edinburgh" and acquired a large estate in Midlothian;\textsuperscript{164} Adam Rolland of Gask (1734-1819), an extremely conservative advocate with an extensive practice;\textsuperscript{165} George Fergusson (1743-1827), the brother of Sir Adam Fergusson of Kilkerran, who was an advocate "in good practice", Commissary of Edinburgh since 1775, and "connected a good deal with Mr. Dundas";\textsuperscript{166} Archibald Campbell of Clathick, a Perthshire landowner "connected with... Dundas" and a "Lawyer of real abilities";\textsuperscript{167} Gilbert Innes of Stow, who owned land in

\textsuperscript{159} The office holders and committee members of the Edinburgh association are named in 'The Caledonian Mercury', 8 December 1792.

\textsuperscript{160} This analysis is based upon the descriptions of the committee members given in the 'Caledonian Mercury' and is somewhat arbitrary. Of the six landowners, two were lawyers, one was a banker, and another was a soldier.

\textsuperscript{161} His estate in the parish of Kells was valued at £1,656. ed. L.R. Timperley. "A Directory of Landownership in Scotland 1770". Scottish Record Society. New Series, V, (1976), 195.

\textsuperscript{162} C. Adam, op cit, 207.

\textsuperscript{163} IBID, 82.

\textsuperscript{164} IBID, 107.

\textsuperscript{165} H. Cockburn, "Memorials of his Time", 362-363.

\textsuperscript{166} C. Adam, op cit, 19-20. ed. Sir F.J. Grant. "The Faculty of Advocates in Scotland 1532-1943". Scottish Record Society. (Edinburgh, 1944), 70. It might be noted that Fergusson was raised to the bench as Lord Hermand in 1799.

\textsuperscript{167} C. Adam, op cit, 273.
Peeblesshire and Selkirkshire; Alexander Wood (1725-1807), a prominent Edinburgh surgeon and Fellow of the Royal College of Surgeons; Neil McVicar, a leading member of the Edinburgh Merchant Company and a small landowner in both Edinburgh and Currie; and Laurence Hill, a writer to the signet who had been associated with the Opposition Whigs and whose presence on the committee testifies to the increasing irrelevance of the old party divisions.

The composition of the Edinburgh committee, which reflected the city's status as a ci-devant capital city, was somewhat untypical. More typical of such committees was that of the "Dumfries Association for Preserving Peace, Liberty, and Property; and for supporting the Laws and Constitution of this Country" which was formed on 14 December 1792. The chairman of the association and of the committee appointed to implement its resolutions was David Staig, Provost of Dumfries, while Francis Short, "Writer in Dumfries", held the offices of secretary and treasurer. The committee comprised the sheriff-substitute of Dumfriesshire, three landed gentlemen, three writers, two surgeons, two clergymen, the commissary of Dumfries, the collector of stamp duties in Dumfries, the provost, an ex-provost, a baillie, an ex-baillie, the

172. Large numbers of country gentlemen still maintained town-houses in Edinburgh, while all practising advocates spent all or much of the year in the city in which the Court of Session and High Court of Justiciary were located.
convener of trades, one accountant, one merchant, and one baker.
Leaving aside the special case of the two clergymen, only one member of
this committee, Alexander Lookup, the convener of trades, was not
described as an esquire. The committee of the Glasgow Constitutional
Association, which was elected on 9 January 1793, was dominated by
local government office holders and businessmen. This committee was
chaired by Gilbert Hamilton, the Lord Provost, while John Maxwell of
Dargavell, the clerk to the Merchants House, served as secretary.
Other members included John Dunlop, the Dean of Guild; John Orr of
Barrowfield, an advocate who held the post of Town Clerk; James
McLehose, the Deacon Convener; Henry Riddell, the chairman of the
Chamber of Commerce; John Paul, a member of the Guild Court; and four
burgh councillors. Of the thirteen remaining members of the twenty-
four man committee, tentative identifications may be made in seven cases.

173. The Caledonian Mercury, 27 December 1792.
174. The associators were requested by an advertisement placed in the
'Glasgow Courier' of 8 January 1793 to convene on 9 January at 2p.m. "in
order to name a Committee, and to draw up such regulations as may tend
to promote the views of the society." Although there is some evidence
of loyalist activity in Glasgow previous to this date (see, for example,
Gilbert Hamilton to H. Dundas, 15 December 1792. Home Office Correspondence,
Scotland R:2/4/66, ff327-328), the history of the Glasgow Constitutional
Association should be dated from 9 January. It may be noted, moreover,
that the time appointed for the inaugural meeting made it highly
inconvenient for working men to attend.

175. Maxwell replaced George Crawford, of the Glasgow Friends of the
People, as clerk to the Merchants House. Crawford was dismissed at a
meeting of the Guildry on 11 December 1792. John Dunlop to Henry Dundas,
11 December 1792. SRO Melville Castle Muniments GD51/5/7, f1.

176. The four councillors were John Alston, John Brown, John Tennant,
and John Buchanan. The committee members are named in 'The Glasgow
Courier', 10 January 1793. For the offices held by the committee members
see 'The Glasgow Courier', 11 October 1792.
The names of Cunningham Corbett, Robert Findlay, Robert Scott Moncrieff, William Wardlaw, Henry Monteith, James Black, and Thomas Shedden are recorded both as members of the Glasgow committee and as merchants, burgesses and guild brethren of Glasgow. 177

If the loyalist associations were created and managed by the propertied classes, then their membership appears to have been drawn from an equally narrow section of the population. Neither the associations nor their resolutions were at all popular. George Paterson wrote to the Lord Advocate on 21 January 1793 warning him that the loyalist resolutions had "in general" been subscribed by "men of Rank and fortune". He explained that "In many parts of the Country, where we had every reason to suppose the people well disposed, such have been the effects of the new doctrines & such the influence of those who propagate them, that very few of the middling ranks of life and none of the lower orders have signed any of the constitutional resolutions, or are willing to enter into any association in support of Government." He admitted that "there are many persons of wealth in the Towns, who would exert themselves to the utmost in favour of Government, but", he argued, "their numbers are few in comparison to the people at large." Moreover, he added, although "several have signed those or similar resolutions, who are indeed not of the highest ranks in life... many such will be found to have done so from influence, or from interested motives, and not from principle." 178 In certain parts of Roxburghshire even "influence" was


unable to procure the desired subscriptions. John Rutherford of Edgerston complained to the Duke of Buccleugh that with the exception of "a few of the principal Farmers, none of the middling or lower ranks of people, can be prevailed upon to sign the resolutions, sent to the different parishes, & in many places, most of them have refused to do it, with a degree of insolence & [saltiness?], which surprised those who proposed it to them." Much the same state of affairs prevailed elsewhere. In Perth only 134 people, headed by Provost John Caw, could be found to subscribe a strongly anti-reform declaration which had been drawn up on 31 December 1792. Even in Edinburgh the loyalist association movement attracted little popular support. Analysis of the 1,369 known subscribers to the Goldsmiths' Hall resolutions reveals that the great majority belonged to the ruling elite of society. Indeed 956 or 70% of the total number of subscribers were landowners, members of the traditional professions, and merchants and guild brethren. Such analysis however may be shown most conveniently in the form of a statistical table:-


181. This subscription list was published as an appendix to the loyalist pamphlet entitled "Ten Minutes Reflection on the Late Events in France, Addressed by a Plain Man to his Fellow-Citizens, and Resolutions of the Edinburgh Association, with the Names of the Subscribers." (N.P., 1793).
<table>
<thead>
<tr>
<th>Category</th>
<th>Total No.</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Landed Classes</td>
<td>246</td>
<td>13.0</td>
</tr>
<tr>
<td>The Professions</td>
<td>593</td>
<td>43.4</td>
</tr>
<tr>
<td>Merchants and Guild Brethren</td>
<td>117</td>
<td>8.6</td>
</tr>
<tr>
<td>The Luxury Trades and Services</td>
<td>76</td>
<td>5.6</td>
</tr>
<tr>
<td>Other Trades and Services</td>
<td>196</td>
<td>14.3</td>
</tr>
<tr>
<td>The Farmers</td>
<td>9</td>
<td>0.7</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>7</td>
<td>0.5</td>
</tr>
<tr>
<td>Unidentified</td>
<td>124</td>
<td>9.1</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>1,368</strong></td>
<td><strong>100.2</strong></td>
</tr>
</tbody>
</table>

182. This category is composed of seven peers, six M.Ps., and 233 "gentlemen". Gentlemen are defined as those describing themselves as esquires or having a territorial designation.

183. This category may be sub-divided into seven sub-categories. The first such, and the largest, was the legal profession, which contributed 313 subscribers, or 22.9% of the total number of subscribers. This total was made up of 151 writers, 111 writers to the signet, thirty nine advocates, eleven solicitors, and one judge. The second largest sub-category was that of naval and military officers. They numbered eighty five and amounted to 6.2% of the total. The third largest sub-category was that of government, local government, and legal office holders, who numbered fifty seven and constituted 4.2% of the total. Forty five, or 3.3% of the total, were either physicians or surgeons, while the ecclesiastical profession contributed thirty four subscribers (2.5%), comprising thirty two ministers or "preachers of the gospel", one "Agent for the Church", and one Episcopal bishop. The second smallest sub-category was that of the financial profession, which contributed thirty three subscribers or 2.4% of the total. This group was composed of fourteen bankers, thirteen accountants, three insurance brokers, and three cashiers and treasurers. Twenty six subscribers, or 1.9% of the total, were members of the educational profession. This last was composed of nine University professors, nine school-teachers, one mathematician, and seven students.

184. This category was composed of twenty three booksellers, fourteen wine merchants, eight jewellers, six goldsmiths, five perfumers, five wig-makers, three engravers, three coachmakers, three carvers and gilders, two silk manufacturers, one stationer, one landscape painter, one mathematical instrument maker, and one bookbinder.

185. Nothing unfortunately is known about the status of the men concerned. Consequently the numbers of journeymen and apprentices cannot be ascertained.

186. This category was composed of one coach-master, one salesman, one bell hanger, one auctioneer, one hotel keeper, and one music seller.

187. The total percentage exceeds 100 because the percentage figures for the individual categories have been calculated only to the first decimal place.
To some, such limited support was not unexpected. Captain John Inglis of Redhall (Midlothian) wrote to Sir John Clerk of Penicuik on 14 December 1792 stating that he was certain that "the whole Farmers with a few exceptions" would join a projected Penicuik association as would "the whole of the proprietors", but making no reference to any other category of prospective members. 188 It is probable that Inglis was obliquely acknowledging that there was little likelihood of the planned association attracting a mass membership. In so doing he could have been writing not of Penicuik alone but of Scotland as a whole, where, Col. Norman Macleod recorded, "the rich are said to be arrayed against the poor." 189

The loyalists fully realised that the general public had still to be won over to the cause of reaction and consequently much of their efforts were devoted to the political education of the lower orders. The Edinburgh Constitutional Association resolved at its inaugural meeting "to give such just and proper information to our fellow subjects as may tend to remove the false and delusive opinions that have been industriously circulated amongst them, and to impress on their minds a proper sense of the invaluable blessings secured to this nation by our happy Constitution", and agreed "diligently to promote the circulation of such writings as may contribute to this important end." 190

The Glasgow association appointed a committee whose primary responsibility it seems was to supervise the distribution of loyalist

188. Capt. John Inglis to Sir John Clerk, 14 December 1792. SRO Clerk of Penicuik Muniments GD 18/3284.


190. The Caledonian Mercury, 8 December 1792.
literature "among the Inhabitants of this city and neighbourhood",
and resolved that "each Member shall pay into the Treasurer... such sum
as he shall add to his subscription, in order to defray the expense of
such publications." Such subsidies dramatically reduced the price of
approved publications and massively increased their prospective market.
For example, the Rev. Stevenson Macgill's pamphlet 'The Spirit of the
times', the second edition of which appeared on 31 January 1793 priced
1/6d, was made available to the public by the Glasgow association at
only 1d a copy, in order that "every class may have an opportunity of
perusing it." As early as 27 December 1792 the Edinburgh association
had been recommending "for circulation" and offering to other
associations "at low prices" three pamphlets entitled 'Plain Questions
to the Working People of Scotland', 'Ten Minutes Reflection on the late
events in France', and 'A Word in Season to the Traders and Manufacturers
of Great Britain'. These pamphlets were explicitly aimed at "working
people", who it was hoped would learn from them "to pay attention to
their own affairs... [and] to acquire wealth by honest industry, in
place of frequenting idle and tumultuary meetings, neglecting their
business and employments, and associating with those who may step by
step, be drawn to disturb the peace of society."

191. The Glasgow Courier, 10 January 1793.
193. The Glasgow Courier, 5 February 1793. The association also offered,
at the greatly reduced price of 2d. the Rev. Thomas Hardy's pamphlet
entitled."The Patriot. Addressed to the People, on the present state
of affairs in Britain and France. With observations on republican
government, and discussions of the principles advanced in the writings
of Thomas Paine." (Edinburgh, 1793).
194. The Caledonian Mercury, 27 December 1792.
195. IBID.
The need for such "short, plain and pithy" pamphlets had long been recognised both by loyalists and by government officials. On 12 November 1792 Henry Dundas wrote to Pitt stating that "Much too little has hitherto been done in the way of small Publications, and those that have been circulated have been too well wrote." He argued that men of property "are so much of one mind here in all the great Principles of real Government, that there is no occasion to write to them" and that pamphleteers, of whom he had recruited "one or two" and hoped "to get more", would be more usefully employed in addressing themselves to "the lower orders of the People, whose minds are poisoned up to the point of Liberty, Equality, and an Agrarian Law." For some time previous to this Dundas had been in communication with Charles Long, one of the secretaries to the Treasury, concerning the selection and dissemination of propaganda material. Long was closely involved in the distribution of loyalist literature in England, and by early November 1792 he had extended his "system" into Scotland, employing "the Postmaster at Glasgow & a Mr. Edwards one of the Surveyors at Edinburgh" as his distribution agents. The formation of the Reevite associations did not halt the northwards flow of loyalist literature and may have increased it. Lord Advocate Dundas, who was a member of the Edinburgh association, wrote to the Home Office in December 1792

196. One Glasgow conservative had argued as early as 12 October 1792 that "if we could get a Clever Publication to circulate among the People, short, plain and pithy, it might have a good effect." [?] Moncrieff to Allan Maconochie, 12 October 1792. Home Office Correspondence (Scotland) RH2/4/64, ff369-370.


informing them of the forthcoming meeting of the Goldsmiths' Hall committee and stating that "A Copy of every Pamphlet which you wish circulated, should be sent to him [i.e. John Wauchope, the secretary of the association] from London." Nevertheless although some pamphlets were imported from England, many were home-produced to suit special Scottish circumstances. Thus, for example, a pamphlet entitled 'Facts, Reflections, and Queries', which was published in Edinburgh in December 1792, attempted the near impossible task of defending the unreformed system of Scottish burgh government.

This huge propaganda effort, promoted by the joint efforts of government and the associations, massively subsidised by the wealthy, and specifically directed at convincing the working people of Scotland of the wickedness of the radicals and the excellence of the existing system of government, was supplemented by the outpourings of the loyalist newspaper press and by the sermonising of numerous latter day Sacheverells. The 'Edinburgh Herald' earned its government subsidy by publishing essays and extracts from pamphlets of a profoundly conservative hue, while in the west of Scotland the 'Glasgow Courier' provided an outlet.


202. Lord Advocate Dundas wrote to his uncle in the Home Office on 12 December 1792 asking for money and explaining that he had "advanced" £400 "to the Principal Proprietor of the Herald - which should be repaid immediately". Home Office Correspondence (Scotland) RH2/4/66, ff313-315.

203. For example, 'The Edinburgh Herald' published extracts from Arthur Young's "Example of France, a warning to Britain" and from a pamphlet entitled "Dialogue between a Gentleman and a Labourer" in its edition of 22 March 1793.
for similar material. However if the loyalist cause was well served by the conservative newspaper press it was, if anything, better served by the clergy of the Church of Scotland whose zeal in defence of the old regime bade fair to outdo that of the Church of England. Whether Moderate or Evangelical in persuasion, whether established in the best charges or struggling to secure their first appointment, the established clergy proved a bulwark of reaction. The Rev. James Finlayson (1758-1808), a leading Moderate and a future member of the Goldsmiths' Hall association, reported on 14 November 1792 that "So far as I can learn there is not a Minister within the bounds of the Synod [of Lothian and Tweeddale], excepting one, who has talked loosely upon the subject [of reform], and that one declaims only in conversation about representation and the expense of Government." The situation in Lothian was

204. For example, the edition of 13 December 1792 contained two loyalist articles penned by "Fellow Subject" and "Colonus".

205. It should be noted that the Scottish Episcopal Church was equally loyal. On 14 July 1792 the "Representatives" of the "Scottish Episcopal Church" wrote to Henry Dundas expressing loyalty to the king and constitution, and promising "to inculcate and maintain a reverence for the laws, and to promote as far as we can the peace of our country". Home Office Correspondence (Scotland) RH2/4/64, f227. On 14 February 1793 bishop William Abernethy Drummond of Hawthornden, a Goldsmiths Hall associator, and the clergy of the diocese of Edinburgh issued a declaration beseeching their communicants "not to meddle with them who are given to change, but to study to be quiet" and advising those of "low stations... to be contented with their lot, and to be mindful, that it is the good providence of God which has made the difference between them and their superiors, for the benefit of society, and the mutual happiness of all sorts and conditions of men." 'The Caledonian Mercury', 18 February 1793. A similar declaration was issued by the bishop and clergy of the diocese of Aberdeen on 25 March 1793. 'The Caledonian Mercury', 30 March 1793. For the loyalty of the Roman Catholic clergy and of elements of the seceding clergy see Chapter 2, p72, fn 43, and pp104-105, fns 140-143.

representative of that in the rest of the country. The winter of 1792-1793 found presbyteries and synods throughout Scotland virtually queuing up to publish ultra-loyalist resolutions; and, while conservatives were not slow to comment unfavourably about the political disposition of the seceders, few could be found who were not fulsome in their praise of the established clergy's loyalty. Robert Heron, for example, having toured the west of Scotland during the eventful autumn of 1792, declared that "Our clergy, friendly ever to the union of Order and Freedom, have distinguished themselves by an active opposition to the late efforts of sedition." Active opposition encompassed a variety of activities.

207. R. Heron, "Observations made in a Journey through the Western Counties of Scotland", II, 428. One cleric, the Rev. William Dunn (1745-1798) of Kirkintilloch, who opened the proceedings of the Synod of Glasgow and Ayr on 9 October 1792 with a sermon in favour of reform, would have been excluded from Heron's eulogium. Dunn's sermon was published under the title of "A Sermon, preached at the opening of the Synod of Glasgow and Air, at Glasgow, 9 October 1792" (Glasgow, 1792). In this sermon Dunn followed Paine in arguing that the origin of government in "the most extensive states of Europe" lay in "the violence and iniquity of conquest", and asserted that every advance of liberty had only been obtained by "open force" or by the threat of such. PP13-15. He viewed the lower orders as the most progressive political force in society, but considered that their judgment was sometimes defective. PP22-24. It was to the propertied classes that Dunn looked "to moderate the impetuosity of the people, and to control the intrigues of the court." PP24-25. In effect, the sermon was addressed to these propertied classes, to whom Dunn appealed for support in the struggle for reform. It might easily have been composed by a member either of the London Society of the Friends of the People or of Dalrymple's 'wing' of the Scottish reform movement. The sermon was warmly welcomed by the radicals. For example the Kirkintilloch Friends of the People at their inaugural meeting on 3 November 1792 thanked Dunn "for his noble, manly, and eloquent vindication of the cause of Reform and of Freedom". 'The Caledonian Mercury', 10 November 1792. Dunn's fellow churchmen, however, were not impressed by his arguments. The Synod at which his sermon was preached sent an address of thanks to the king for his Proclamation against seditious writings of 21 May 1792. 'The Glasgow Advertiser', 8-12 October 1792. The Rev. Stevenson Macgill accused Dunn of blowing the trumpet of sedition from the temple. S. Macgill, "The Spirit of the Times", 5. Dunn's sermon also provoked a loyalist pamphlet entitled "Political Preaching: or the Meditations of a Well-Meaning Man, on a Sermon Lately Published; in a Letter Addressed to the Rev. Mr. William Dun, Minister of Kirkintilloch" (Glasgow, 1792), which criticised Dunn for meddling in politics, defended the Whig constitution, and urged the lower orders not to involve themselves in matters beyond their comprehension. The reputed author of this anonymous pamphlet was the Rev. William Moodie (1759-1812), the Moderate minister of St. Andrew's parish, Edinburgh, and a member of the Goldsmiths' Hall association.
Besides ensuring that the church courts passed appropriate resolutions on the political crisis, many of the clergy also took a leading part in organising parish meetings at which similarly worded resolutions were submitted for the approval of those assembled. Moreover, established clergymen were involved in establishing and managing Reevite associations, in distributing loyalist literature, in checking "any seditious or improper tendency" among their parishioners, and in informing the local landlords of the identity of local radicals. The most prominent and the most ambitious of the clergy also busied themselves in writing sermons in praise of the old regime and in opposition to the radical reformers. The period from 1792 to 1794 saw the publication of a long series of such sermons, with leading Moderates such as Alexander Carlyle, George Hill, Thomas Hardy, and Thomas Somerville vying with rival Evangelical pamphleteers like John Erskine and Andrew Hunter and young up-and-coming clerics like Stevenson Macgill for acclaim and, (it may not be too cynical to suggest) government favour.

The activities of the established clergy, and of those dissenters who followed the conservative line, were much appreciated by the loyalist community as a whole and by the government in particular.

208. Bain Whyt, the assistant secretary of the Edinburgh Constitutional Association, wrote to John Reeves, 31 December 1792, reporting that pamphlets had been sent from Edinburgh to every clergyman in Scotland for distribution. A. Mitchell, "The Association Movement of 1792-3". The Historical Journal, IV, No. 1. (1961), 73.


210. See Chapter 3, p212.

211. For example, 'The Caledonian Mercury' greeted the appearance of George Hill's pamphlet 'The Present Happiness of Great Britain' with a laudatory review. Such a work, it stated, "peculiarly becomes a minister of the religion of peace, the business of whose profession is to promote the peace, and quietness, and happiness of society" and "is peculiarly seasonable at a time when men of innovating principles would pull down the whole fabric of our constitution." 'The Caledonian Mercury', 29 November 1792.
Henry Dundas, who was convinced that the "circumstance... of the most essential importance to the peace of the country... [was] the influence of the Clergy over their people properly exercised",\(^{212}\) was gratified by the exertions of his clerical allies and rewarded the most prominent of them, irrespective of ecclesiastical party, with royal chaplaincies and government pensions.\(^{213}\) Conservative gratitude was matched by radical resentment. On 11 January 1793 the 'Edinburgh Gazetteer' asked whether the clergy meant "to revive the maxim of ancient Priestcraft, that 'Ignorance is the mother of devotion',",\(^{215}\) while a delegate meeting of the societies of the Friends of the People in Dunfermline and its neighbourhood, on 1 March 1793; resolved that "we are sorry to see matters carried so far that Clergymen should profane the Sabbath by reading from the pulpit papers containing calumny and unjust aspersions, and even in the fervour of their zeal praying to the Almighty to scatter those people not contented with the privileges they already enjoy."\(^{216}\) Between


\(^{213}\) The granting of royal chaplaincies to Evangelicals outraged the Moderates, and George Hill wrote to Alexander Carlyle stating that "If the scheme of equalising Court favour goes on, the Moderate interest will soon vanish from the face of the earth." EUL. Letters to Dr. Alexander Carlyle. Dc4.41, f76.

\(^{214}\) For example, the Rev. Thomas Somerville was granted a government pension in 1793. John Rutherford of Edgerston wrote to the Duke of Buccleuch, on 8 December 1793, warning him that "You will find him [ie Somerville] a very forward Fellow... Since the pension lately bestowed upon him... he feels himself of still greater importance, & is now gone to Edinburgh to publish another pamphlet, in order I suppose, to get an addition to it." SRO. The Buccleugh Muniments. GD224/663/11, f12.

\(^{215}\) The Edinburgh Gazetteer, 11 January 1793.

\(^{216}\) The Edinburgh Gazetteer, 8 March 1793.
March and May 1793 the 'Edinburgh Gazetteer' published a series of letters entitled 'The Thoughts of Samoth' addressed 'To the Patriot', which took to task the Rev. Dr. Thomas Hardy, (whose pamphlet, 'The Patriot', Dundas believed "made a very conspicuous figure in support of the constitution,"\(^{217}\)) and which broadened its scope to incorporate a general attack upon the clergy's willingness to prostitute their calling. 'Samoth' wrote -

"Neglectful of their parochial duties, and forgetting that the reformation of morals is their peculiar concern, they stand forth the champions of political abuses, and the boisterous opponents of political reformation. The experimental, not evangelical, preacher, rushes from the pulpit, lays aside his wig and his band, assumes his pen, forces on the public, some mushroom pamphlet, and, if his midnight lucubrations extort a smile from William [Pitt] or from Harry [Dundas], solaces himself with his consolatory reward - the expectation of preferment, and the first vacancy."\(^{218}\)

Radical resentment had its origin not only in the conviction that the clergy had prostituted their calling but also in the belief that the loyalist activities of the clergy were draining the movement of its members. At a meeting, on 19 March 1793, of the Canongate No. 1 Society of the Friends of the People Archibald Wright examined the causes of declining membership and concluded that clerical opposition "had proved a stumbling block to many of our members." He added that


\(^{218}\) The Edinburgh Gazetteer, 26 March 1793.
"all things considered, this is not to be wondered at, if we consider the character they bear, and the prayers they put up. The character they bear, (at least the character they assume), is the followers and the ministers of the Prince of Peace. The prayers they put up are (if I am not misinformed), that we may be scattered and confounded."219

It is unlikely that both loyalist and radical completely misread the situation, and therefore likely that clerical loyalism had some popular impact. Certainly loyalist literature had a wide circulation. Principal Hill's publisher informed him, in December 1792, that he had printed 10,000 "coarse" and 1,000 "fine" copies of his pamphlet 'The Present Happiness of Great Britain', and that "they have been circulated chiefly amongst that description of persons to whom they are likely to do most good." The publisher added his congratulations "upon the extensive circulation of the sermon, for never was such a number of a sermon sold in this country before."220 There can be little doubt that these circulation figures were not untypical of much of the loyalist literature in this period, especially in those cases where the price was subsidised by the Reevite associations. Moreover it seems likely that this propaganda had some effect. In the parish of Urr (Kirkcudbrightshire) loyalist pamphlets, and "particularly a pamphlet called the Patriot,... were read, weighted, and decided upon" with the result "that, according to every probability, there is not a man in the parish, who would not risk his life for the support of the King's authority and the British constitution."221 Nevertheless there must be

219. The Edinburgh Gazetteer, 5 April 1793.
221. OSA, XI, 79.
some doubt regarding the loyalists' success in penetrating the desired market. Even in Perth it was possible to find people who were unaware of the existence of such counter-propaganda, while the Rev. George Mack of Peterculter (Aberdeenshire) remarked that loyalist publications were "little consulted" and their authors "branded with the epithets, ministerial tools, court sycophants, the slaves of despots, &c." It is difficult to tell whether Mack was writing of the general opinion in the country or referring specifically to Peterculter. Either way his remarks are telling. If such hostile opinions were entertained of the loyalist clergy in one of the most politically conservative areas of the country, one can only wonder what the inhabitants of the more radical central lowlands called their ministers.

Eighteenth century Scotland was not, as Henry Bückle believed and others who followed him argued, a priest-ridden country. Indeed as H.G. Graham pointed out in his much maligned work 'The Social Life of Scotland in the Eighteenth Century' the reverse was more nearly the case, with the clergy being closely scrutinised and criticised by their 'flocks'. The truth of Graham's observations was borne out by the popular response to the loyalist activities of some ministers. The Rev. John Young, the Antiburgher minister in Hawick found that the publication of his 'Essays on Government' led to 'an almost total Desertion of his Auditory', while in nearby Jedburgh the Rev. Thomas Somerville discovered that "all my exertions" were "unprofitable and

222. OSA, XVIII, 534-535.

223. OSA, XVI, 407.


fruitless, and lessened my authority and usefulness in the discharge of my ordinary professional duty." The over-zealous loyalism of the Rev. James Lapslie (1754-1824) of Campsie parish, which was subsequently rewarded with a government pension, led to him being stigmatised as a "Pension Hunter", savagely caricatured in an etching bearing the same title, and reviled in popular ballads. It was ministers of Lapslie's stamp who reinforced the unpopularity of the established clergy and increased "the contempt... under which they have laboured of late years." This loss of clerical influence and authority, conservatives believed, was most marked in the great towns where the labouring poor increasingly paid little heed to the views of the clergy. Even more worrying in conservative eyes was the growing secularisation of the popular mind. As yet this process was in its infancy, but ministers and others were beginning to note how the favourite theological books and controversies of the recent past were being replaced by more secular concerns. All in all it seems clear that while the loyalist


228. IBID, 113. See also J. Cameron, "The Parish of Campsie", II.

229. OSA, XI, 81.

230. R. Heron, "Observations made in a Journey through the Western Counties of Scotland", II, 429-430.

231. For example, the Rev. Gordon Stewart, of Bonhill parish in the textile manufacturing Vale of Leven area of Dumbartonshire, recorded that in recent times his parishioners "displayed their zeal and their learning in declaiming against patronage and Arminian preaching" but that "In the process of time religious disputes came in some measure to be neglected or forgotten; and then, like most other manufacturers, they came to be extravagant in articles of dress, tea, and spiritous liquors, &c". OSA, III, 449.
activities of the clergy may have had some limited impact, they were not a major factor in the decline of the radical reform movement during the first half of 1793.

The success achieved by the loyalist reaction is not attributable to loyalist counter-propaganda, but to the intimidation of the radical reformers and their supporters. Wealthy individuals, loyalist associations, local magistrates, and the state itself combined during the winter of 1792-1793 to mount a ruthless campaign of intimidation against the radical reform movement. The loyalists, who believed with some justification that discontent was traceable to the "pernicious" influence of radical literature upon the popular mind, placed great emphasis upon the need to prevent the further dissemination of that literature. Their campaign commenced in England where Paine was convicted of seditious libel on 18 December 1792. This conviction opened the door to prosecutions of radical booksellers everywhere and gave real menace to the Reevite associations' pledge "to counteract all seditious attempts, and, in particular, all associations for the publication or dispersion of seditious or inflammatory writings." Encouraged by the outcome of Paine's trial the Edinburgh Constitutional Association offered, on 27 December 1792, a reward of five guineas to anyone who gave information of any bookseller selling or distributing Paine's 'Rights of Man' or of any person circulating copies, abridgements, or extracts from that "libel on the Constitution."

232. For Paine's trial see Howell, "State Trials", XXII, 357-472. Paine was not present, having left England in September 1792 for France where he was elected to represent Calais in the National Convention.

233. The Caledonian Mercury, 8 December 1792.

234. The Caledonian Mercury, 27 December 1792. The association's offer was also advertised in Glasgow, see 'The Glasgow Courier', 5 January 1793.
Fear of prosecution undoubtedly accounted for the disappearance from the pages of the newspaper press of booksellers' advertisements offering the great republican's works for sale. While it is possible that a clandestine circulation was maintained, it is surely significant that loyalist references to the dissemination of the 'Rights of Man' decreased dramatically in 1793 and that no booksellers were prosecuted for selling or distributing that "libel on the constitution". The threat of prosecution, apparently, was sufficient in itself to slow the circulation of Paine's work to a trickle if not to stop it completely.

The threat of prosecution was all too real. The first quarter of 1793 saw a determined attempt on the part of the Crown's law officers to crush the radical reform movement in the courts. The attack was mounted on two fronts. Firstly, they attempted to silence the radical press by indicting the authors and publishers of allegedly seditious literature, and, secondly, they sought to intimidate the Friends of the People by bringing their leaders to trial. The first case to come before the High Court of Justiciary was that of James Tytler on 7 January. Tytler's intemperate address 'To the People and their Friends' was just the sort of challenge which the authorities could hardly fail to accept and, indeed, welcomed. Sheriff-depute Pringle opined that "Much depends upon the event of this day's trial", adding that "If it terminates as it ought to do it will give a complete discomfiture to the Party [i.e. the Friends of the People]."235 In the event Pringle and his allies were disappointed. Tytler, who had been released on bail, was unwilling to trust his liberty to a jury composed, in Pringle's opinion, "of Men of good sense and proper principles"236 and rather


236. Ibid.
than sacrifice himself to their vengeance escaped to the safety of, first, Ireland and, subsequently, the United States of America. 237

Three days after Tytler was outlawed John Elder, who had been described by Robert Watt as the bookseller to the Edinburgh radicals, and his business partner, William Stewart, a Leith merchant, were due to stand trial on a charge of seditious libel. They were accused of having published a pamphlet entitled 'Rights of Man delineated, and the Origin of Government,' 238 and of having commissioned the casting and organised the subsequent sale and distribution of several hundred so-called "liberty medals." 239 Stewart followed Tytler's example and, having failed to comppear, was outlawed. Lord Advocate Dundas however refused to abandon the case. He informed the court that "he was determined to use every endeavour to apprehend the person of the said William Stewart and still to bring him to trial along with the panel Elder", and therefore requested that the court continue the diet against Elder. This the court readily agreed to. 240 The proceedings against James Smith, a Gorbals gunsmith, and John Mennons, the publisher of the 'Glasgow Advertiser', for sedition before the High Court of Justiciary on 4


238. It is curious that while Elder was charged with publishing a Paineite pamphlet he was not charged with selling Paine's 'Rights of Man'. This omission is difficult to understand because not only had Elder publicly advertised the sale of that work but he had also admitted, in a Declaration made before Sheriff-depute Pringle, selling it. 'The Edinburgh Gazetteer', 23 November 1792. Declaration of John Elder, 19 December 1792. JC26/269.

239. The first medal was inscribed, on the obverse, "Liberty, Equality, and an end to Impress Warrants" and, on the reverse, "The Nation is essentially the Source of all Sovereignty", while the second medal carried the inscriptions, "Liberty of Conscience, Equal Representation, and Just Taxation", and "For a nation to be free it is sufficient that it wills it." Howell, "State Trials", XXIII, 31.

240. Howell, "State Trials", XXIII, 32-34. The search for Stewart proved unrewarding and, in time, the case against Elder was dropped.
February 1793 ended in a similar fashion. The indictment charged Smith with being the author and John Mennons with being the publisher of an advertisement containing the fiercely Paineite\textsuperscript{241} resolutions of the Partick society of the Sons of Liberty and the Friends of Man. Once again however the authorities were cheated of their prey. Smith, having fled to France,\textsuperscript{242} was outlawed for non-compearance, and in his absence the Lord Advocate decided that the case could not proceed.\textsuperscript{243} If, as seems likely, the intention behind these criminal proceedings was to intimidate Mennons into pursuing a more conservative editorial policy, then the authorities failed. Mennons assured his readers on 1 February 1793 that, despite the forthcoming trial, he was "still determined to adhere to that principle of impartiality which should be the characteristic of the editor of a newspaper."\textsuperscript{244} The subsequent editorial policy of the newspaper showed that Mennons was a man of his word.

Mennons' case should not be viewed in isolation, but as a part of a wider campaign to intimidate the publishers of newspapers sympathetic to the radicals. The 'Edinburgh Gazetteer', which was owned by Capt. William Johnston, one of the leading figures in the Scottish radical movement, constituted a prime target for such a campaign, but its cautious

\textsuperscript{241} The second resolution stated "That the Sons of Liberty in Partick, having attentively perused the whole works of the immortal author of the Rights of Man, Thomas Paine, declare it as their opinion, that if nations would adopt the practical use of those works, tyrants and their satellites, would vanish like the morning mist before the rising sun! that social comfort, plenty, good order, peace, and joy, would diffuse their benign influence over the human race." Howell, "State Trials", XXIII, 35.

\textsuperscript{242} See James Smith to George Crawford, Paris, 15 February 1793. Home Office Correspondence (Scotland), RH2/4/70, ff59-60.

\textsuperscript{243} Howell, "State Trials", XXIII, 42.

\textsuperscript{244} The Glasgow Advertiser and Evening Intelligencer, 28 January - 1 February 1793.
editorial policy made things difficult for the authorities. However its account of the trial of John Morton, James Anderson, and Malcolm Craig, who had been convicted on 9 January of seditiously attempting to suborn some soldiers stationed in Edinburgh castle, presented the Lord Advocate with his opportunity. Capt. Johnston and his printer, Simon Drummond, who had served as a delegate of the Cowgate society at the 1st Convention, were charged with contempt of court and, having been found guilty, Drummond was sentenced to three months imprisonment while both he and Johnston were ordered to find security for their good behaviour for the space of three years. Three days after the Lord Advocate initiated proceedings against Johnston and Drummond, the High Court met to try James Robertson, the publisher of the radical 'Caledonian Chronicle', who had printed a large amount of propaganda material for the Friends of the People. The indictment charged Robertson, Walter Berry, his business partner, who owned a bookseller's shop in South Bridge, Edinburgh, and James Thomson Callender, a messenger at arms in Edinburgh and a writer who had some literary pretensions, with writing, printing, and publishing a seditious

245. For example, the 'Gazetteer' refused to publish a letter from "A Constant Reader", in Montrose because he "seems to espouse Republican sentiments, with which we can never coalesce". 'The Edinburgh Gazetteer', 22 January 1793.


247. Howell, "State Trials", XXIII, 59. The securities required were £500 in Johnston's case and £100 in Drummond's. Their contempt of court consisted of lampooning Braxfield's behaviour on the bench and implying that the soldiers who had given evidence against Morton, Anderson, and Craig had been intimidated by their officers into giving false evidence. The 'Gazetteer's' account of the trial clearly implied that a gross miscarriage of justice had taken place. 'The Edinburgh Gazetteer', 15 January 1793. The account is also printed in Howell, "State Trials", XXIII, 44-46.


249. Callender had tried his hand at writing poetry and had sent some examples of his art to Lord Gardenstone, the Court of Session judge, for criticism. EUL. Dugald Stewart MSS. Dc6.III. f51. It may be noted that Gardenstone was a prominent burgh reformer. A. Fletcher, "A Memoir concerning the reform proposed in the internal government of the Royal Burghs of Scotland", 18, 22.
libel, viz 'The Political Progress of Great Britain'. When, like Tytler, Stewart, and Smith before him, Callender took flight, the Lord Advocate asked for and obtained a postponement of the trial in the hope that in the interim Callender would be apprehended. This hope was misplaced, Callender slipped the net, and Dundas ultimately decided to bring the case to trial in his absence. The outcome was that Robertson was found guilty of both printing and publishing the pamphlet, while Berry was convicted of publishing only. The former was sentenced to six and the latter to three months imprisonment, while both were ordered to find security of £100 for their good behaviour for three years thereafter.

Important as these prosecutions were, they paled into relative insignificance alongside those which the authorities had been hoping to bring. Since the early autumn of 1792 the government had been gathering information on the activities of the radical societies and their leaders, and by the end of the year it had established a useful, if far from complete, network of spies. While the authorities were still "much pestered with false or exaggerated Information" from unsolicited sources, the generally reliable intelligence reports of the paid spies, and in particular of the mysterious J.B., ensured that they were better informed than previously. Moreover, information was also obtained from the Post Office where the mail of suspected radicals was intercepted and opened. Close watch was kept on many leading radicals, including

251. IBID, 90.
252. IBID, 115.
Thomas Fyshe Palmer in Dundee\(^{255}\) and James Wylie in Perth\(^{256}\) but, with one exception, investigation revealed that there was nothing in their activities to warrant prosecution. The one exception was Thomas Muir, the vice-president of both the Glasgow and Edinburgh associations, and a man whose exertions in the cause of reform were such as to lead the Lord Advocate to characterise him as the "Ringleader of Sedition".\(^{257}\) Muir's championing of the United Irishmen's address at the 1st Convention gave the authorities their opportunity. Lord Advocate Dundas informed the Home Office on 15 December 1792 that in the event of that address proving as treasonable as had been reported "the Solicitor [General, Robert Blair (1741-1811)] & I are resolved to lay Muir by the heels on a Charge of High Treason."\(^{258}\) The subsequent fortuitous discovery of a letter from the Kirkintilloch radicals to Muir acknowledging the receipt of a number of pamphlets which "had produced the most beneficial results" strengthened the case against him.\(^{259}\) He was arrested on 2 January 1793, interrogated as to his political activities, and subsequently released. Despite Muir's unco-operative attitude during his interrogation Lord Advocate Dundas was confident that he had sufficient evidence against him and began to prepare an indictment.\(^{260}\)


256. R. Dundas to H. Dundas, 13 January 1793. Home Office Correspondence (Scotland) RH2/4/69, ff148-151. The Lord Advocate described Wylie as "the most intemperate Revolutioner in Scotland" and asked the Home Secretary to authorise the interception at the Post Office of any foreign correspondence with him.


Meanwhile Muir, who had become convinced of the serious danger posed by the loyalist reaction not only to the success of the reform movement but also to the continued existence of political liberty, set out for London to hold urgent consultations with the Foxite Whigs. He went as "a Martyr, or an Envoy from Brethren in distress"261 in order to relate how "Liberty of the press and speech in Scotland were almost at an end", how "Spies intruded into every company", and how "sentinels of the Treasury were stationed in every tavern", and to request that their friends in England should adopt "the most proper & effectual means of affording them support & assistance."262 He received a most "agreeable reception... from Messrs Fox & Grey, and the other leading members of the London associations",263 while Thomas Erskine moved that the Friends of the Liberty of the Press render the Scots "every assistance" in their power.264 For this the Scots were grateful, but their gratitude was tempered by the knowledge that Foxite sympathy and resolutions were of no practical use against the combined power of the loyalist reactionaries and the state.

Radical hopes were threatened by international as well as domestic developments. December had seen the French Convention take the fateful step of putting Louis XVI on trial for treason. Louis' conviction was certain given that acquittal would illegitimize both the revolution of 10 August and the Convention itself. Moreover, conviction


264. C. Bewley, op cit, 53.
would almost certainly be followed by a death sentence, which in turn would hasten the war which had been looming between Britain and France since November 1792. Such a war, it was realised, would add considerably to the difficulties of the British radicals. For the radicals to support a war against France was unthinkable, but equally opposition to the war would open them up to charges of unpatriotic conduct and reinforce the conclusion that many had drawn from the events of the autumn of 1792 - that for all their talk of constitutionalism they were nothing less than British Jacobins.

Impressed with the need to avert war Muir decided to go on to Paris "to try what could be done with the Convention to save the life of a certain great personage, and to circulate it as the opinion of the people in Britain that the death of the King would disgrace the Cause of Freedom for ever." His quixotic mission was to no avail. It is extremely doubtful if Muir could have exerted much influence on the French deputies, but, in the event, by the time he arrived in Paris the fateful votes had been cast and Louis' execution ordered. On 21 January 1793 Louis XVI was guillotined, on 24 January Chauvelin, the French

265. J.B. to Patrick Moir, 21 January 1793. Loc cit. Skirving deponed at Muir's trial that "Muir wrote him, that it was the opinion of some friends, that the event which was then dreaded to happen in France, would be of great detriment to the common cause; and it was supposed that if Mr. Muir were to go to France, he might have some influence with the leading people in mitigating the fate of the king." Howell, "State Trials", XXIII, 169. Muir's thoughts and those of the Foxite opposition were in accord on this subject, although it must be stressed that he was not commissioned by the Foxites and, indeed, was unlikely to have been considered by them as a fit person for such a mission. In a debate in the House of Commons on 20 December 1792 Charles James Fox, having deprecated the treatment of Louis XVI, urged the British government to negotiate with France and argued that both the French government and people "would, if they could obtain it, pay great respect to, and would be influenced by what he was confident was the unanimous sense and feeling of every man in this empire. Could no means be suggested to communicate that unanimous sentiment?" Parl. Hist, XXX, 140. See also Sheridan's speech IBID, XXX, 137-138.
ambassador to Britain, was ordered to leave the country, and on 1 February the French Convention, anticipating Britain's next step, declared war.

Events had moved quickly, but Muir could hardly have been surprised at their direction. Despite the clear approach of war and the probability that he would be indicted to stand trial in the near future, Muir displayed no urgency in making preparations to return home before war rendered such a journey difficult. Instead he remained in Paris meeting with British émigrés and conversing with leading Girondin politicians. Muir however endeavoured to convince his radical colleagues that he was willing to stand trial and defend both himself and the Friends of the People. Shortly after his arrival in France he wrote to Skirving stating that if the authorities "determin'd to bring him to a trial" he would cut short his stay in Paris in order "to plead his own cause in person", while some time between 8 and 15 February he informed James Smith, the author of the Partick resolutions who had by then settled in Paris, that he was "making arrangements to return... will set out the moment he procures his passport which is now a work of some difficulty." Moreover, on 13 February, two days after the date originally set for his trial, he wrote to the Friends of the People stating that he had only received news of his trial date on 8 February, arguing that "the distance, and the shortness of the time,

266. P. Mackenzie. "The Life of Thomas Muir, Esq. Advocate, Younger of Huntershill, near Glasgow; member of the Convention of Delegates for Reform in Scotland, etc. etc. who was tried for Sedition before the High Court of Justiciary in Scotland, and Sentenced to Transportation for Fourteen Years. With a full report of his trial". (Glasgow, 1831), 13.


268. James Smith to George Crawford, 15 February 1793. Home Office Correspondence (Scotland) RH2/4/70, ff59-60.
could not permit me to reach Edinburgh" by 11 February, and claiming that he would return "without delay." However there is good reason to believe that Muir was less than honest with his radical colleagues. On 23 January he wrote to his agent, James Campbell, stating that "Whenever you and my friends judge it expedient or proper, I will immediately return", while in a second letter, dated 27 January, he stated that he would return "whenever you think it proper." If Muir meant to return as soon as a date had been appointed for his trial, why did he not say so? It is surely more likely that what Muir meant by "expedient or proper" was safe, and that he had, at that time, no intention of returning until he was certain that all criminal proceedings had been dropped. On 1 March J.B. reported that he had spoken to someone who had seen the contents of a letter from Muir to his father and that Muir had written "that he would have come over and stood his trial... if he had been certain he would not have been condemned to imprisonment, or sent to Botany Bay." Whether "Muir's friends" had seen this letter, had been informed of its contents, or had otherwise been informed is unclear, but what is clear is that by 5 March if not earlier they were "convinced that the letter which appeared in the Gazetteer intimating his return to stand trial is without truth." Whatever their source of information Muir's friends were well informed. Although it was by no means impossible to get out of France after the


271. J.B. to [?], 1 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff1-2.

272. J.B. to [?], 5 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff35-37.
declaration of war, Muir appears to have made no effort to return. Indeed it was 23 April before he obtained a passport, and his intended destination was not Britain but Philadelphia. Around the same time as he obtained his passport Muir appears to have written to his father stating that it was his intention to reside in the USA, but it is very possible that Muir had made this decision some time earlier. On 27 March J.B. reported that he had "heard... from pretty good authority that Mr. Muir has left Paris and gone to America." Muir was later to change his mind and return to stand trial, but for the moment the authorities were deprived of their greatest catch.

There is some temptation to pass over the criminal proceedings of early 1793 in something of a hurry, perhaps because many

273. John Farquharson, the Rector of the Scots College at Douay, (which had been closed down by the French authorities on 18 February 1793), set about procuring passports to enable his students to return to Britain in late February 1793. By 23 March the passports had arrived and on 1 April eight of the students arrived in England. C. Johnson. "Developments in the Roman Catholic Church in Scotland 1789-1829". University of Edinburgh. Ph.D. (1980), 157. Dr. William Maxwell (1760-1834) of Kirkconnell, who was a member of both the London Society for Constitutional Information and the London Friends of the People and had organised a subscription in London for the aid of the French revolutionaries in September 1792 before leaving for France, resolved to return to Britain in early February 1793 and arrived home early in March 1793. R.D. Thornton. "William Maxwell to Robert Burns". (Edinburgh, 1979), 100.


275. J. Muir to Capt. George Towers, 21 July 1793. Muir's father wrote that he had not heard from his son "these three months", that he "thought he had been at Philadelphia ere now", and that letters of introduction "to the first people in America" and a trunk of possessions had been forwarded to the USA. He clearly expected his son to live in America, writing that "I hope in a year or two he can return, if he doth not love America". Howell, "State Trials" XXIII, 167-168. It might be noted that J.B. reported on 30 April 1793 that Muir had "gone to America". J.B. to William Scott, 30 April 1793. Home Office Correspondence (Scotland) RH2/4/70, ff184-185.

276. J.B. to William Scott, 27 March 1793. Home Office Correspondence (Scotland), RH2/4/70, ff139-140.
of those indicted fled 'justice' and because the trials themselves lack the drama, controversy, and obvious political impact of those which followed. However they are deserving of serious consideration. While there was nothing draconian about the sentences imposed by the High Court in this period, the trials and the atmosphere of fear which they helped to generate had a considerable effect upon the radical movement. No one was left in any doubt that the authorities were fully prepared to use the courts in order to stamp out the publication of politically heterodox opinions. To advocate parliamentary reform was not in itself illegal, but the case had to be argued within the constraints imposed by the dead hand of Whig constitutionalism if those involved did not want to arouse the Lord Advocate's interest. The reformers could buttress their arguments with quotations from Locke and Blackstone, and even with references to the supposed democratic glories of the Anglo-Saxon constitution, but they could not draw upon Paine's 'Rights of Man' or question the utility of monarchy or aristocracy. Thus, while the editorially cautious 'Edinburgh Gazetteer' and 'Caledonian Chronicle' survived the convictions of their publishers and the 'Glasgow Advertiser' maintained its editorial impartiality despite John Mennons' brush with the law, the output of Paineite and quasi-Paineite literature appears to have declined dramatically. Indeed the whole tone of radical publications changed as the movement went on the defensive. Almost without exception the published resolutions of the societies of the Friends of the People contained pledges of the movement's loyalty and constitutionalism, and the winter of 1792-1793 exhibited the curious and ironic spectacle of the radical reformers vying with their political antagonists in the publication of loyal declarations. This change of tone represents an important psychological shift. No longer were the radicals confident and aggressive, but harassed and embattled. Such
a transformation is not to be wondered at. Hardly a week passed between early January and mid-March which did not see some radical or other before the High Court of Justiciary. These proceedings affected the radical societies as much as radical publishers. In early March 1793 Skirving told J.B. that the Portsburgh society was attracting "no new members" and that out of a total membership of four hundred "not about 40" had attended their most recent meeting. This sad state of affairs, he explained, was owing to "the public being frightened by the persecutions from joining us." 277 A few days later, on 19 March, at a meeting of the Canongate No1 society, Archibald Wright reported that among the reasons given by "our back-sliding brethren" for non-attendance was that they were "afraid of the tolbooth, of Botany Bay, and of the gallows!" 278 The situation in Edinburgh does not appear to have been untypical. A delegate meeting of the Friends of the People in and around Glasgow on 22 May 1793 remarked on how "many have been intimidated by prosecutions." 279 However, important as these prosecutions were, they represented only the tip of an iceberg of harassment and persecution.

The intimidation of radicals could take a variety of forms, although in Scotland unlike England the magistrates could not avail themselves of a plebeian Tory mentality to unleash the terror of Church and King mobs upon political dissidents. However, while loyalist intimidation was more subtle and less spectacular in its operation than in some parts of England, it was scarcely less pernicious in its

277. J.B. to [?], 15 March 1793. Home Office Correspondence (Scotland), RH2/4/70, ffB3-84.
278. The Edinburgh Gazetteer, 5 April 1793.
effect. Much of this intimidation was locally rather than centrally directed, and, although it is probable that its full history will never be known, it is likely that it was conducted on a substantial scale. While there appears to have been few prosecutions in the local courts, this was owing to a lack of evidence against the radicals rather than to any indifference or indolence on the part of the local authorities. Harassment and crude intimidation rather than prosecution were the chosen weapons of local authorities in their campaign against the radicals. When, during the winter of 1792-93, some attempts were made towards establishing a radical society in Newburgh (Fife) the magistrates "declared their fixed purpose, to exert the authority with which they are invested in preventing any such association from having place in future, within the limits of their jurisdiction." Despite this

280. One of the few such prosecutions to come to notice was that of three Langholm men involved in the riot of 10 November 1792. John Stewart, a flax-dresser, John Hotson, a mason, and John Martin, a tailor, were convicted at Dumfries Sheriff Court on 22 January 1793 of mobbing and rioting and of "proclaiming and drinking certain seditious toasts... which had a tendency to excite a spirit of disaffection to the King and Government of this country." Stewart and Hotson were sentenced to four months imprisonment and ordered to find caution of 600 merks for their good behaviour for two years, while Martin was sentenced to two months imprisonment and ordered to find caution of 300 merks for his good behaviour for one year. 'The Glasgow Courier', 26 January 1793. Only a comprehensive examination of surviving local court records will reveal the full extent of these prosecutions. Such an examination should take cognisance of the fact that prosecutions essentially political in their nature could be masked by apparently straightforward criminal indictments. For example, George Mealmaker, the secretary of the Dundee Friends of Liberty, records that when he and Robert Sands, a prominent Perth radical, retired to the relative political backwater of Arbroath during the terror of May 1794 they were beaten up by a group of weavers and masons, and after a travesty of a trial convicted of assault and imprisoned. "A Narrative of the Arrest, Examination, & Imprisonment of George Mealmaker". Home Office Correspondence (Scotland) RH2/4/03, ff41-49.

281. The Glasgow Courier, 19 December 1793. The Newburgh magistrates' reference to their actions "in the course of last winter" was made in the context of a declaration thanking the authorities in Edinburgh for suppressing the British Convention.
opposition a Society of the Friends of Peace and Liberty was formed, but it attracted only fifteen members, a figure partly attributable, its secretary claimed, to the threat of "confinement in gaol" held over those "few [who] have the fortitude openly to espouse the patriotic cause." Similarly the failure to establish a radical society in Haddington (East Lothian) was attributed to "the influence that has bin practised with the Friends of the People in that place" and in particular to the threats of the "Civil Magistrate". The Rev. Ebenezer Hislop, the radical Burgher minister of Shotts (Lanarkshire), was "brought... several times before the Sheriff of the county for examination", while, on 4 January 1793, the sheriffs depute of Lanarkshire and Dumbartonshire descended upon Kirkintilloch and proceeded to interrogate James Baird, a hosier and secretary of the local radical society, and to inspect the society's minute book. In Hawick "a species of

285. "Petition and Complaint of His Majesty's Advocate against the Revd Wm. Dunn", 25 February 1793. JC26/270. Upon investigation it was revealed that the minute book had been taken into the possession of the parish minister, the Rev William Dunn, and that he had torn out and destroyed three of its pages. Ibid. Proceedings were instituted against Dunn who claimed that the book had been brought to him on 4 January and that, when he discovered that it contained a vote of thanks for his sermon advocating reform, he "rashly" tore out the relevant pages. "Answers for Mr. William Dunn to the Petition and Complaint of Robert Dundas", 6 March 1793. JC26/270. For Dunn's sermon see p353, fn207. The High Court, which heard the complaint on 11 March 1793, were unimpressed by Dunn's answers and Lord Henderland stated that the presumption must be that there was something more than Dunn's name in the minute book to induce him to tear the pages out. Inclosure in Hugh Warrender to the Lord Advocate, 11 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff55-56. Dunn was sentenced to three months imprisonment for suppressing evidence. 'The Glasgow Courier', 12 March 1793. His release from prison was celebrated in Kirkintilloch where the various trades paraded through the streets and "several toasts suitable to the occasion were drunk". 'The Glasgow Advertiser and Evening Intelligencer', 17-21 June 1793.
persecution, or something like it, tinged the conduct of the
defenders of the altar and the throne", 286 while Andrew Mercer, the
secretary of the Dunfermline Friends of the People, reported that "the
arbitrary arm of civil power hath... in some measure contributed to
weaken our cause." 287 When, in July 1793, the Glasgow radicals
attempted to distribute a handbill attacking the French war as the source
of all the people's economic hardships the hawkers were stopped by the
magistracy and "all the copies they had" were seized. 288 Much radical
resentment and alarm was created by the presence, real in many cases
and suspected in others, of spies, whose information, it was feared,
might not always be strictly accurate. Even private company was not
exempted from surveillance. Sir James Gibson-Craig recalled that when
Lord Daer gave a dinner for some friends at Hunters' Tavern, in
Edinburgh, Sheriff-depute Pringle and "a celebrated professor of law" 289
sat in the next room and listened in to what was being said. 290
Moreover considerable difficulties could be encountered in finding
suitable accommodation for radical meetings. The Edinburgh Friends of

286. R. Wilson. "The History of Hawick: including some account of the
inhabitants; with occasional observations. To which is appended a
short memoir of the author". (Hawick, 1841), 242. Wilson was, in 1793,
a very young man... a humble actor in these scenes." IBID, 240, fn.

287. Andrew Mercer to William Skirving, 26 September 1793. Mercer was
referring to the situation prior to the trials of Muir and Palmer. He
explained that "these two Memorable tryals has been the occasion of
adding new members to our society every meeting since". IBID, JC26/280.

288. John Orr to Henry Dundas, 2 July 1793. Home Office Correspondence
(Scotland) RH2/4/71, ff293-294.

289. Possibly John Wilde, Professor of Civil Law in the University of
Edinburgh and author of the Burkite "Address to the Lately Formed Society
of the Friends of the People" (Edinburgh, 1793).

290. J. Allen, "Inquiry into the Rise and Growth of the Royal Prerogative
in England", XVI.
the People had to discontinue meeting in the Barbers' Hall when the proprietors decided, in early September 1792, to demand double the rent they required from other organisations, while on 13 February 1793 the Edinburgh Incorporation of Tailors resolved "That from this date no persons styling themselves Friends of the People shall be permitted to hold meetings in their Hall [in Potterrow], and that no petition for a reform in Parliament shall lye there for subscriptions." In December 1792 the Duns (Berwickshire) radicals discovered that no public house in the village would admit them, while in Stirling the proprietor of the Saracens Head Inn, where the local radical society usually convened, intimated, on 29 November 1792, that he would no longer permit such meetings in his inn. Whether these publicans and trade incorporations were acting under pressure from the authorities is unclear, although there is some evidence that in Scotland, unlike England, the Disorderly Houses Act was not employed against those who permitted radical societies to meet on their premises.

292. The Caledonian Mercury, 18 February 1793.
293. George Home to Patrick Home of Wedderburn, 21 December 1792. SRO. Home of Wedderburn Papers, GD267/1/16.
294. The Caledonian Mercury, 29 November 1792. See also 'The Caledonian Mercury', 10 December 1792, for the secretary of the Stirling Friends of the People's reply to this intimation. Despite "all the little arts exerted by the Foes of the People", Alexander McGibbon wrote, the Stirling society met as arranged on 3 December and unanimously agreed to send delegates to the General Convention.
295. Hugh Warrender, who was employed by the Crown Office as an assistant to John Davidson, the Crown Agent, wrote to William Keir, who was closely involved in the investigation of the Langholm 'patriots' riot of November 1792, stating that "With respect to the Question you put about James Geddes the Publican, it does not seem that there is Ground for depriving him of his License on the footing of what is in the Act termed Keeping Disorderly House, as that applys to one of another description [ie a brothel]." SRO. The Buccleugh Muniments, GD224/655/2, f103. In England the situation was radically different. In Manchester, for example, the authorities threatened publicans with the loss of their licenses if they should allow radical societies to meet on their premises and, on 13 September 1792, 186 publicans issued a declaration stating that they would not admit such societies. J. Walvin. "English Democratic Societies and Popular Radicalism, 1791-1800." York University, Ph.D.(1969), 628.
Much of the intimidation with which the radicals had to contend was economic in character and dependent upon the resolution of loyalists acting individually in their capacity as private citizens for its success. The rationale and objective of the scheme was outlined in a pamphlet entitled "Letters, &c from the Friends of the People" which was published in December 1792 and distributed by the loyalist associations. "One of the Real Friends of the People" explained to "the People of Scotland" how "Those who are too profligate to be restrained by principle, too foolish and too vain to be touched by reason, may yet be affected by the intermediate consideration of self interest. Would it not be fair and proper, at this juncture, for the friends of good order and Government, to agree not to employ, from the highest professions down to the lowest trades and occupations, any persons who are known (and means may easily be contrived to make them known) to be members of, or to frequent those seditious and mischievous associations, who under the specious names of Reform and Friendship to the People, are endeavouring to sap the foundations of every thing that is valuable to society. A determined and general resolution of this sort, both in the customers of tradesmen and shop-keepers, and in the worthy part of tradesmen and shop-keepers, with regard to their workmen and servants, would, I think, go far to thin those Jacobin Clubs." 296

296. "Letters, &c. from the Friends of the People: or, the Last Words, and Dying Advice, of a Weaver to his Children". (NP, 1792), 9.
Such an employment boycott was relatively easily justified in the eyes of its authors. "One of the Real Friends of the People" argued that "Since those levelling associators openly propose, when they have got the power into their hands, to pillage and divide the property of those employers who now support them in their various professions and trades, is it not most just, that those employers should withhold the means of carrying on this war against themselves." The scheme found general support within the loyalist community. For example, a meeting of "the Principal Inhabitants of Paisley", held on 14 December 1792, resolved "to give every preference and encouragement in the way of business to those of our workmen, who shall... distinguish themselves by a peaceable and regular conduct", while three days earlier the Edinburgh Chamber of Commerce and Manufactures resolved "to counteract and frustrate any wicked designs, by encouraging to the utmost of our ability, all sober, peaceable, industrious tradesmen, manufacturers, and others, whether masters, journeymen, or servants; and by showing a proportional discouragement of all such as are idle, evil disposed, seditious, or tumultuous." Although a Glaswegian ultra-loyalist

297. IBID, 10. A letter from "A Merchant" to "One of the Real Friends of the People" states that the author has "long since adopted" his correspondent's advice "not only in business, but in the intercourse of private life". The author explains that "I feel an involuntary repugnance to a connection with men, whom I know to be leagued for the promotion of measures by which all the tender bonds of society would be loosed... Every man I meet, who frequents those societies, my imagination represents as carrying a dagger, or a torch in his hand, to stab myself, or to burn my wife and children." IBID, 10. When Niel Douglas denounced the use of economic sanctions against radicals, a reviewer writing in the loyalist 'Dundee Repository' defended them arguing that "many had their fears (and they were not groundless) that their property was in danger; it was scarcely to be expected that they would present the deadly weapon to the hand that was to be lifted up for their destruction." N. Douglas, "Thoughts on Modern Politics", 113; 'The Dundee Repository, of Political and Miscellaneous Information', II, 29 November 1793, P267.

298. The Glasgow Courier, 15 December 1792.

299. IBID.
pamphleteer writing under the pseudonym of "Asmodeus" was later to imply that such resolutions had not always been rigorously enforced, it seems clear that many loyalists did blacklist both known radicals and suspected radical sympathisers. George Home, who was generally well informed about Edinburgh affairs, stated, on 12 December 1792, that there was a "Generall understanding to give no Employment to Tradesmen or Shopkeepers who have adopted the new fashioned doctrines", and added that "many of them are now withdrawing their names from the Societies established by the friends of the People, and expressing much Contrition at having been ever led astray so far as to Join them." On 21 February 1793 J.B. confirmed that such economic intimidation was having the desired effect and instanced the case of one Hamilton, a tailor and Friend of the People, whose "best customers had threatened to leave him." Hamilton, like many others, thought it better to renounce his political connections than to imperil the welfare of his family. Others were not given this choice. The Duke of Buccleugh cancelled Hugh Bell's contract to supply his extensive household with beer, while the

300. 'Asmodeus' wrote, - "The plan I now recommend [of blacklisting radicals] has been talked of, let it be adopted, and I will bet a ton of choice infernal brimstone, to a pound of the best Mearns butter, that it has more effect upon the principles of these men, than all the sound sense and irresistible argument, so happily displayed by a worthy and learned clergyman, in the inestimable production named the Patriot." "Asmodeus, or Strictures on the Glasgow Democrats. In a series of letters, several of which were lately published in the Glasgow Courier." (Glasgow, 1793), 5-6. The letter in question is dated 18 September 1793.

301. George Home to Patrick Home of Wedderburn, 12 December 1792. SRO. Home of Wedderburn papers. GD267/1/16.


303. Baron Cockburn to the Duke of Buccleugh, 22 February 1793. SRO. The Buccleugh Muniments. GD224/30/12, f18. Cockburn fully approved of Buccleugh's action and suggested that Archibald Campbell, who was "nearly connected with the most steady friends we have in the city of Edinburgh", be employed in Bell's place.
Duchess "discharged her haberdasher... and informed him that he would get no more of her employment because he had joined an association of the Friends of the People." In many cases successful intimidation did not depend upon an actual boycott; the threat of such would often have been sufficient to achieve the desired end. Nor did success necessarily depend upon large numbers of boycotters, for those who organised the boycott belonged to the wealthier sections of the community. Many tradesmen, and especially those involved in the luxury trades, were extremely vulnerable to the political whims of a few wealthy customers, and the loss of their patronage could quite easily reduce a relatively comfortable artisan to poverty. It is possible that a sizeable number of those tradesmen who subscribed the Goldsmiths' Hall resolutions did so not out of political conviction but out of fear.

Blacklisting, or the threat of it, was by no means limited to those proven to be actively involved in the radical reform movement. To be seen to be sympathetic to the cause was to invite economic sanctions. Thus when, in early March 1793, Lord Justice Clerk Braxfield's sister entered a shop and discovered a copy of the radicals' resolutions.

304. This was reported at the 1st Convention by Simon Drummond. Meikle, op cit, 270.

305. The occasional appearance in the newspaper press of relatively expensive advertisements placed by tradesmen anxious to disabuse their customers of the idea that they were Friends of the People, illustrates the vulnerability of such men to blacklisting. For example, David Mathieson, a Dalkeith candle-maker, placed an advertisement in the 'Edinburgh Evening Courant' contradicting a "malevolent" report that he was a member of the Friends of the People and declaring that "I look upon the proceedings of such Societies as most dangerous and unfriendly to our excellent constitution". 'The Edinburgh Evening Courant', 2 January 1794.

306. See p347.
parliamentary reform petition lying open for subscription, she warned
"the master... that if he continued to take in subscriptions she would
withdraw her own employment and that of her friends and acquaintances." 307
Moreover the 'Edinburgh Gazetteer' complained that "did the merchant
advertise in it [ie the Gazetteer], they withdrew from him their
patronage; was the tradesman seen to read it, he was threatened with
the loss of employment." 308

Everyone with unacceptable political views was liable to be
blacklisted. Indeed Henry Cockburn claimed, with some exaggeration,
that nowhere did the system of "tacit proscription" operate so severely
as at the bar. "Clients and agents", he explained, "shrink from counsel
on whom judges frown", and while those who, like Henry Erskine, "had
already established themselves, and had evinced irresistible powers, kept
their hold, ...the unestablished and the ordinary had little chance." 309
Cockburn's recollections were echoed by Mrs. Elizabeth Fletcher, the wife
of the prominent burgh reformer, who stated that "such was the terror of
liberal principles in Scotland that no man at the Bar professing these
could expect a fair share of practice." Indeed, she claimed, "We were
often at that time reduced to our last guinea." 310 Contemporary evidence
testifies to the veracity of these recollections. William Skirving noted,
at his own trial in January 1794, "that an agent before the court said, that
it was almost giving up his business to be seen doing anything for the

307. J.B. to [?], 6 March 1793. Home Office Correspondence (Scotland),
RH2/4/70, ff37-43.

308. The Edinburgh Gazetteer, 7 June 1793. From the context it is clear
that the editor was not referring to a recent development.


Friends of the People", while Adam Gillies (1766-1842), one of Joseph Gerrald’s defence counsel, stated at the opening of his trial that "he, whose fortune it is to undertake such a cause, is considered as, in effect, a sharer of the crimes imputed to him whom he defends."

Gerrald himself claimed that although he had asked several advocates to represent him they had all refused until ordered by the court. Those lawyers who were actively involved in the radical reform movement fared the worst. Robert Forsyth (1766-1846) found his prospects at the bar temporarily destroyed by his involvement with the Friends of the People and "turned to literature" in order to make a living, while Thomas Muir believed that "the whole vengeance of the Scotch judges & the minions of Dundas will be exerted to prevent... Mr. Moffat from succeeding in his profession in Scotland" and "advised him to settle in London" where he could be "protected by a greater portion of independent men." Moreover George Crawford, a Glasgow writer who served as secretary to the local radical association, was dismissed from his position as clerk to the Glasgow Guildry at their meeting on 11 December 1792.

Dissident members of the other traditional professions also

311. Howell, "State Trials", XXIII, 484.
312. IBID, 827.
313. IBID, 803.
315. Thomas Muir to Mr. Dyer, Portsmouth, 16 April 1794. NLS. MS98, f109. The "Mr. Moffat" in question was William Moffat, the former secretary of the Portsburgh society who represented the society at the 2nd, 3rd and British Conventions. Moffat was an Edinburgh solicitor. Howell, "State Trials", XXIII, 402.
316. John Dunlop to Henry Dundas, 11 December 1792. SRO Melville Papers, GD51/5/7, f1.
incurred the wrath of outraged loyalists. Radical teachers in particular were much feared and hated on account of their supposed influence over the development of young minds. The pamphleteer "Asmodeus" opined that he "would certainly prefer finishing my son's education at a brothel, to a school where his political principles were likely to be contaminated" and argued that "the teachers in the public seminaries of this kingdom [who] profess themselves Republicans... should either relinquish their tenets or their places." It is likely that his attack was directed not only at school teachers but also at certain professors in the University of Glasgow and, in particular, at John Millar. Little could be done to remove politically unsatisfactory professors, but John Dunlop, the Lord Provost of Glasgow, urged Henry Dundas to "prevent any man being appointed, either a professor, or assistant to a professor whose political principles are not very well known, for it is wonderful the mischief that Millar and his knot of miscreants have done." Although Dugald Stewart (1753-1828), the professor of moral philosophy in the University of Edinburgh, became an "object of suspicion and alarm" to the loyalists because of his allegedly radical sympathies, the problem of dissident academics was not particularly serious outside of Glasgow. St. Andrews University under the principalship of George Hill earned a reputation for nepotism


319. Sir W. Hamilton, ed. "The Collected Works of Dugald Stewart, Esq. F.R.S.S." Vol.X, L. It is interesting to note that the radical Lord Daer had been a student of Stewart, had lodged with him during his time at the university, and had become an "excellent... friend." IBID, CXL. Like Daer, Stewart held high hopes of the French Revolution and opposed the outbreak of war in February 1793, but unlike Daer he did not involve himself in the popular struggle for reform. IBID, CXXXIV-CXXXVI.
rather than scholarship and became a byword for political conservatism, while neither of Aberdeen's university colleges was noted for professorial radicalism.

While dissident university professors were safe from dismissal, school teachers were not so happily placed. Whether employed in the public or private sector they were at the mercy of their employers, and radical activities could cost them dear. For example, the secretary of the Dunfermline Friends of the People wrote to William Skirving on 31 October 1793 asking him to "prohibit the insertion of my name at the bottom" of a "consolatory letter" to Thomas Fyshe Palmer which the society wished to have published in the 'Edinburgh Gazetteer'. He explained that he was "the Teacher of a Private School in this place" and that the publication of his name "would highly injure my private interest". Indeed, he added, "The signing of my name to Mr. Muir's letter, has I fear done me a deal of harm."

The radicals were powerless in the face of loyalist intimidation. Men like Alexander Leslie, who was dismissed from his apprenticeship because of his political activities, had no come-back against their former employers. Unable to challenge the right of employers to dismiss, and customers to patronise, those whom they pleased,

320. The university, along with the magistrates, town council, merchants, clergy, and "Principal Gentlemen", of St. Andrews met on 28 December 1792, resolved to support the constitution, and declared their "intention not to employ any tradesman or other person whatever who discovers principles adverse to the spirit of our Resolutions". Home Office Correspondence (Scotland), RH2/4/67, ff508-509.

321. It might be noted that King's College Aberdeen awarded the Rev. John Young a D.D. for his "Essays on Government." 'The Edinburgh Evening Courant", 9 October 1794.

322. J. Dickson to W. Skirving, 31 October 1793. JC26/280.

323. A Leslie to J. Ashley, 2 July 1796. British Library. Add.Mss27815, ff74-75. By 1796 Leslie had established himself as a leading radical bookseller in Edinburgh. The loss of the apprenticeship, in an unspecified trade, clearly happened some time previously.
some radicals began to toy with the idea of responding to the loyalist economic boycott in kind. The 1st Convention debated a motion, possibly proposed by David Downie, an Edinburgh goldsmith, "that the Friends of the People should form a resolution to support each other in the course of their business in private life, as their zeal for reform might deprive them of the employment of the aristocracy." Such a proposal, Morthland pointed out, "would answer no purpose, as there were certain connections in every man's business which could not easily be dissolved." Certainly this argument applied with peculiar force to lawyers like Morthland who derived most of their business from the loyalist propertied classes, but, in truth, it had a general application. Few radicals could hope to prosper on the custom provided by their own colleagues, and the economic boycott of loyalists, implied by the motion, was very unlikely to have such an effect as to force their opponents to reconsider their tactics. Not surprisingly, the convention minutes record that, "The proposal was dropped." The question of how to combat loyalist intimidation was returned to some ten months later by the 3rd Convention, which, upon a motion "that in order to bring to light and to punish the perpetrators of oppression and arbitrary acts, a person in every Town should be appointed a guardian to discover, publish, and prosecute all such proceedings", agreed "that where the facts were well substantiated, societies should minute an account of them in a book."  

324. Meikle, op cit, 270. An undated motion, signed by David Downie, is preserved among Skirving's papers in JC26/280. The motion reads, "Seeing that the enemies of the Constitution & of the people have ingenerously combined together to withdraw their employment and assistance from the Friends of Reform knowing that Self preservation is the first Law of nature We the friends of the people do think it a duty incumbent on us to assist one another in our different employments."

325. Meikle, op cit, 270.

326. IBID.

This resolution was useless. Radical societies minuting acts of oppression would not discourage loyalists from perpetrating similar acts in future. The resolution was a futile gesture, but, in fairness, it is difficult to see what could have been done to counter effectively the loyalist campaign of intimidation.

The only viable defence against the loyalist reaction was to convince the propertied classes that the reform movement was constitutionalist in its methods and essentially moderate in its objectives, that the accusations of revolutionary republicanism and economic levelling were unjustified, and that consequently they had nothing to fear from the radicals. All this was well recognised by Norman Macleod who wrote to the Scottish radicals an open letter, which was published in the Edinburgh Gazetteer and, subsequently, in pamphlet form, denouncing the loyalist reaction as an attack upon liberty, defending the radicals against the charge of Jacobinism, praising the constitution, and urging "the poor and virtuous to contend only with the arms of loyalty and moderation." He implored the Friends of the People, -

328. The Edinburgh Gazetteer, 11 January 1793. The letter was dated London, 1 January 1793.

329. The letters were published under two separate titles, viz "Letters from Colonel Macleod, Member of Parliament for Inverness-shire, to the Chairman of the Association for Parliamentary Reform in Scotland", and "Letters to the People of North Britain, on the Universally Allowed Corruption of the Commons House of Parliament, and the Indispensable Necessity of its Immediate and Radical _, the only Measure from whence Unanimity and Energy can be Expected even in the Perilous Period of War". Both pamphlets were published in London in 1793.

330. N. Macleod, "Letters to the People of North Britain", 14. It is relevant to note that the London Friends of the People, of which Macleod was a member, wrote to the London Corresponding Society on 15 February 1793 urging on them "the peculiar necessity of circumspection and moderation, at a moment when the most venial indiscretion of the friends of reform is remarked with such malignant watchfulness, and converted into an argument against the cause of reform itself." Howell, "State Trials", XXIV, 399.
"Be not rash; be not impetuous; imitate the great pattern of long suffering; venerate the Constitution as it is; and search only for loyal and gentle corrections." This letter, which had a propagandist as well as advisory purpose, was well received by the radicals, and the Canongate No.1 society voted Macleod an "address of thanks." In late January 1793 Macleod attended a meeting of the Edinburgh General Committee where he called on his audience to be "steady, firm, and moderate" and to avoid violence, as by "perseverance [they] would do everything." These sentiments entirely accorded with those of his Edinburgh audience, who greeted Macleod’s speech with "an universal & continued burst of applause", and with those of the movement as a whole. The Friends of the People had since their formation stressed their constitutionalism and now, in response to the loyalist reaction, the various societies across Scotland held meetings, passed loyal resolutions, and advertised their proceedings in the newspaper press. Yet for all their efforts the propertied classes remained unconvinced. Most men of property agreed with the loyalist pamphleteer who, having remarked upon the "more disguised" language of the Friends of the People, asked rhetorically, "are not their views the same, and the consequences of their conduct equally dangerous?" George Home for one believed that radical attestations of loyalty were but tactical

331. N. Macleod, "Letters to the People of North Britain", 14. Elsewhere in the pamphlet he advised, "By violence, you can do nothing; by constitutional patience and endeavours you will accomplish all your objects." IBID, 9.


333. J.B. to [Patrick Moir], undated. Home Office Correspondence (Scotland), RH2/4/69, ff250-254.

334. IBID.

335. "Letters, &c from the Friends of the People: or, the Last Words, and Dying Advice, of a Weaver to his Children". (NP, 1792), 16.
ployed to "restore the Confidence of the middle class" in order that they might obtain a parliamentary reform which would serve as a springboard for the accomplishment of their real designs. 336

Unable either to secure the neutrality, far less the active support of the propertied classes, or to counter effectively the campaign of intimidation waged against it, the radical movement went into a serious decline. Reporting on the meeting of the Edinburgh delegate committee, held on 2 January 1793, the spy J.B. opined that "From the complexion of that meeting, from the absence of most of their leading members, the timidity of those present, and the paucity of the number in whole, the Friends of Administration may now consider their business as done." With the radicals being "thrown into a state of dispondency", he hoped that his employers would "agree... that further investigation of this kind will be unnecessary." 337 These hopes were dashed. The authorities, despite their pleasure at how things were developing, 338 were far from satisfied that the radical movement was dead, and they insisted on retaining J.B.'s services. Further investigation however served only to confirm what J.B. had reported on 3 January. On 5 January he wrote that Canongate No.2 society "seemed to be in a State of equal dispondency with the Gen Convention." No new


338. For example, Sheriff-Depute Pringle wrote, of the Edinburgh Friends of the People, "that their tone is now much lowered. Indeed it consists with my certain knowledge that many who were formerly most violent, and seemingly most determined have been intimidated by the vigorous measures lately adopted and have withdrawn themselves altogether from the associations". John Pringle to Henry Dundas, 7 January 1792. [rectius 1793]. Home Office Correspondence (Scotland) RH2/4/63, ff1-2.
members had joined for a fortnight, only a dozen had attended the society's most recent meeting, and it had been agreed to send a deputation to Canongate No.1 "to request that she might send off a fresh colony", for otherwise "it was in vain to keep it up." Other societies encountered similar problems. The Lawnmarke society, J.B. informed the authorities on 13 January, had failed to hold their usual meeting the previous week and "seem to have lost heart." A meeting of this society was held on 24 January but, out of a total membership of seventy four, "not a Dozen attended" and "after being a short term together they parted without doing anything." Even the efforts of Col. Macleod and Lord Daer, and the commencement of the petitioning campaign failed to revive flagging morale. On 1 February J.B. reported that the society which met in the Old Assembly Close "had totally discontinued their meetings, there having been only five or six of them who had the courage to meet the two last weeks", while the Lawnmarke society could only attract twenty five members to a meeting held, on 31 January, to subscribe the reform petition. The Edinburgh delegate committee meeting of 6 February, like that of January, was "very ill attended", with less than eighty delegates in all and "None of the leading men" being present. When this meeting was reconvened a fortnight later the attendance was even smaller and Skirving proposed


342. J.B. to [Patrick Moir?], 1 February 1793. Home Office Correspondence (Scotland) RH2/4/69, ff288-293.

that they should "adjourn on account of there being so few present."\(^{344}\)

The attendance at the March delegate meeting was higher, "above 100" being present,\(^{345}\) but this improvement was attributable to the importance of the matters to be discussed rather than to any revival within the individual societies. Indeed by this time many Edinburgh societies were looking into their graves. On 1 March J.B. reported that "not 20 were present" at a recent meeting of the Canongate No.1 society, although it had a nominal membership of 200. No new members were admitted, "few payments" were made, and, after discussing and rejecting a desperate proposal "for obliging members to attend", debate turned to a possible reunion with "the Daughter Societies Nos 2 & 3."\(^{346}\) Meanwhile the Abbeyhill society "had given up their meetings & burnt their books", and the Lawnmarket society had resolved "to suspend their future meetings, till the Atmosphere of Liberty should clear up."\(^{347}\) Other societies were in similar dire straits and J.B. had "no doubt" that they would follow the Lawnmarket and Abbeyhill societies onto the rocks.\(^{348}\) The death knell of Canongate No.2 society was sounded at a meeting held on 4 March, which was attended by only four members, and which, not being quorate, was forced to adjourn without any business being done.\(^{349}\) Following on this meeting representations were made to

\(^{344}\) J.B. to [Patrick Moir?], 21 February 1793. Home Office Correspondence (Scotland) RH2/4/69, ff341-344.

\(^{345}\) J.B. to [Patrick Moir?], 6 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff37-43.

\(^{346}\) J.B. to [Patrick Moir?], 1 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff1-2.

\(^{347}\) IBID.

\(^{348}\) He wrote, - "I make no doubt the rest of the Societies will soon follow their example". IBID.

\(^{349}\) J.B. to [Patrick Moir?], 5 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff35-37.
"the mother Society" proposing amalgamation. After somewhat unnecessary consultations the reunion was agreed to on 19 March by a meeting attended by only thirty four members. 350 A few days earlier Skirving had informed J.B. that the Portsburgh society, with a nominal membership of 400, had attracted "not above 40" to its most recent meeting, and that future meetings of the society were to be held monthly rather than weekly. 351 By 21 March Lord Provost Elder of Edinburgh could in all truth report that "The Friends of the People are very much humbled and at present are very quiet." 352

The damage inflicted by the loyalist reaction on organised Edinburgh radicalism was clearly substantial, but Edinburgh is not Scotland, and the question arises of how far, if at all, the Edinburgh experience was typical of that in the rest of the country. The question, however, is more easily posed than answered, as the sort of detailed information which J.B. supplied about the situation in Edinburgh is not available for other parts of Scotland. Nevertheless, from what evidence is available, it seems clear that, although there were some areas in which the Friends of the People might well have held their ground, the radical movement suffered a general decline in its fortunes during the early months of 1793.

The authorities were alerted to the possibility of Edinburgh being untypical when, on 15 March, J.B. reported that Skirving had claimed "that however prevalent this disponding spirit may be in Edinburgh it is quite the reverse in the country where the friends of the people


351. J.B. to [Patrick Moir?], 15 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff83-84.

352. Thomas Elder to the Lord Advocate, 21 March 1793. Home Office Correspondence (Scotland) RH2/4/70, f99.
were increasing." 353 On the receipt of this information the Procurator Fiscal of Edinburgh, William Scott, initiated an investigation. It is unclear how thorough this investigation was, but Scott reported, in a letter to the Lord Advocate, that from his information matters in Glasgow were "in a favourable train" and that he had received "the same favourable answers from the Procurator Fiscal in Perth". On the basis of the information available to him he concluded that Skirving's claim was "a misrepresentation which he & others... find they must do to keep up some appearance here." 354 There the matter ended. The government accepted Scott's assessment and no contradictory evidence came to light to cause them second thoughts.

There can be no doubt that the loyalist reaction gravely weakened Glasgow radicalism. On 15 March John Orr, the Town Clerk of Glasgow, reported that "the friends of the people have been very quiet here for these two months past", 355 while on 22 May a delegate meeting of the Glasgow societies remarked on how "many have been intimidated by prosecutions, or kept back from expressing their sentiments on the great business of Reform, by the scandalous abuse and calumnies thrown out against its avowed supporters." 356 Moreover the Glasgow societies, which had sent twelve delegates (fifteen if the Anderston and Gorbals delegations are included) to the 1st Convention, could only afford to send three delegates to the 2nd Convention which assembled in Edinburgh

on 30 April. Many of the societies which had sprung up in the hinterland surrounding Glasgow appear to have found themselves in similar straits. Hamilton which had sent two delegates to the 1st Convention sent none to the second, while Kirkintilloch which had delegated James Baird to the earlier convention was unrepresented at the second. Furthermore none of the societies which had been established at Renton, Dumbarton, Cambuslang, Airdrie, and Old Monklands during the winter months were in good enough financial health by the spring to send any delegates to the 2nd Convention. Many of these societies would probably have echoed the lament of the Lennoxtown (Campsie) Friends of the People, who, having informed the 2nd Convention that they found it "inconvenient" to send a delegate, explained that "the opposition we have meet with in this part of the country hath no doubt detered a good number altho they wish well to the caus from comming forward and joining." However the picture in the west of Scotland was not universally bleak. In Renfrewshire the radicals appear to have at least held their ground. A delegate meeting of the Renfrewshire Friends of the People, held in Paisley on 8 February, reported that "their numbers were rapidly encreasing." Such claims can usually

357. Meikle, op cit, 274. All references to delegations attending the 2nd Convention are taken from Meikle's "Scotland and the French Revolution" as this is the most accessible source for the general reader. Meikle's list of delegates is drawn from two reports on the 2nd Convention submitted to the authorities by J.B. and found now in Home Office Correspondence (Scotland) RH2/4/70, ff186-190, and RH2/4/71, ff196-197.

358. An undated commission from the Hamilton society stated that John Millar, an advocate who was normally resident in Edinburgh, had been elected to represent them at the convention "as it is inconvenient for any of us to atend at presant." JC26/280. There is no record of Millar attending the convention.


360. The Edinburgh Gazetteer, 15 February 1793.
be dismissed as untrustworthy propaganda, but there is some reason to believe this one. Whereas the Renfrewshire societies commissioned only five delegates to the 1st Convention, seven were sent to the second. 361

A comparison of delegations to the first two conventions suggests that the Ayrshire radicals may have ridden out the loyalist storm even more successfully than their neighbours in Renfrewshire. While only the Kilmarnock society, which sent two delegates, was represented at the December convention, eight societies were represented, by five delegates, at its successor. 362 It would be an error however to infer from these statistics that the Ayrshire movement had grown in strength during the first four months of 1793. Of the eight societies represented at the 2nd Convention only Irvine and Darvel are not known to have been established by the end of December 1792, 363 and the Irvine Friends of the People were certainly in existence by 21 January 1793. 364 Moreover it is surely a pointer to the health of the Ayrshire movement in the spring of 1793 that only five delegates were commissioned by eight separate societies and that the Kilmarnock society's representation at the 2nd Convention was halved from two to one. Thus while Ayrshire, or rather Cunningham, was still a bastion of the Scottish radical movement in April 1793, it may be seriously doubted whether its societies were as strong as they had been at the turn of the year.

361. Meikle, op cit, 274. Meikle records that this delegation was sent by the "Paisley Societies", but their commission, dated 25 April 1793, states that they were jointly delegated by the Paisley, Johnstone, and Neilston societies. JC26/230.

362. Meikle, op cit, 274-275, names the five delegates but only six of the eight societies. Neither Irvine nor Darvel are recorded in Meikle's list, but both were represented at the convention. Irvine and Kilwinning jointly delegated Robert Barr, an Irvine stocking maker, while Darvel, Galston, and Newmilns delegated John Wallace. Both commissions are to be found in JC26/230.

363. For the dates of the Kilwinning, Kilmarnock, Galston, Newmilns, and Fenwick societies see Chapter 3, p186.

364. The Edinburgh Gazetteer, 29 January 1793.
The three areas which were better represented at the second than at the first convention were Renfrewshire, Ayrshire, and the Borders. Whereas no Border societies were represented at the December convention, delegates were sent from the Hawick, Selkirk, and Newton St. Boswells societies to the spring convention. Moreover it seems likely that these three societies were formed subsequent to the 1st Convention. On 29 January 1793 John Rutherford of Edgerston wrote to the Duke of Buccleugh stating, "I am indeed sorry to inform your Grace, that the spirit of discontent & sedition in this part of the Country [ie Roxburghshire], so far from declining, seems rather to be on increase for some time past." However while its impact seems to have been delayed in the Borders, the loyalist reaction did in time present the Friends of the People there with serious problems. In Hawick, as has been noted above, the radicals encountered "a species of persecution", while in Selkirk "the backwardness of the people" was attributed by the secretary of the local radical society to three causes, two of which were the "influence of the Nobility & Gentry" over the country farmers, and the dependance of "Many of the burghers" on "those leading politicians in this place who are adversaries to our cause."

To the north, in Lothian, the damage wrought by the loyalist reaction was made apparent at the 2nd Convention. While both the Musselburgh and Penicuik societies maintained their level of representation, the number of delegates commissioned by the Dalkeith and Linlithgow societies fell from four to three and five to one respectively. Edinburgh's delegation meanwhile fell from over eighty

365. See Chapter 3, p199, fn103.


to seventy one. Moreover while the Mid-Calder and Whitburn societies were newly represented, neither Dunbar nor Belhaven sent delegates.

Further to the west, the history of the Stirling Friends of the People's representation at the two conventions told its own sad story. The society which had six delegates present at the 1st Convention, had none at the second. North of the river Forth radical decline was less apparent. The county of Fife maintained its representation at six, while Montrose actually increased its from one to two. Elsewhere however the picture was not so bright. Perth's delegation was reduced from nine to seven, while Dundee's was cut from three to one. Furthermore the Forfar, St. Cyrus, and Aberdeen societies were unrepresented at the 2nd Convention.

The decline in radical strength is perhaps best illustrated by the fact that whereas approximately 170 delegates attended the 1st Convention only 117 attended the second. Also of some interest is

368. Fife's representation at the two conventions has a complex history. While Pathhead of Kirkcaldy sent only one delegate to the 2nd Convention, any reduction in the town's overall representation was prevented by the Linktown of Kirkcaldy society sending a delegate. The Anstruther Friends of the People commissioned one delegate to both conventions, but while their delegate (James Darcy) to the 1st Convention appears to have been a local man, Mitchell Young, their delegate to the second, was an Edinburgh painter and member of the Cowgate society. The Dunfermline Friends of the People increased the size of their delegation from two to three, but Leslie, which had been represented by Skirving at the 1st Convention, went unrepresented at the second. Neither the Newburgh nor the Auchterderran radicals were represented at the 2nd Convention, although the Auchterderran society had elected Robert Weemys as their delegate. Weemys however could not attend "on account of indispensible business" and no-one else was sent in his place. Auchterderran Friends of the People to William Skirving, 29 April 1793. JC26/280.

369. Mrs. Susan Bean wrote from Montrose on 24 February 1793 stating that "I am sorry to think that our place is still in the same way. McFarlane's society keeps very frequent meetings... there was counted better than two hundred that went to it in one night lately". Home Office Correspondence (Scotland) RH2/4/69, ff357-358.

370. Meikle, op cit, 125, states that 116 delegates attended. J.B. listed 115 delegates, but Meikle appears to have either included Robert Weemys in his total or to have double-counted Mitchell Young, who had been delegated by both the Anstruther and Cowgate societies. Two other delegates, from Laurieston and Shotts, went unrecorded by both J.B. and Meikle. Their commissions are to be found in JC26/280.
the significant increase in the percentage of delegates commissioned by the Edinburgh societies. While these delegates accounted for roughly 50% of the total at the 1st Convention, they constituted over 60% of those present at the second. Such an increase is all the more revealing when the unhappy history of the Edinburgh Friends of the People in the intervening period is borne in mind. Nevertheless while the primary emphasis must be put on the declining fortunes of the radicals, it is also important to remember their fundamental strength. Despite prosecutions, persecutions, harassment, and intimidation; despite the almost universal disapproval of the most powerful men in their society and the hostile, oppressive, political atmosphere in which consequently they had to work, the Friends of the People did not collapse. A reasonably numerous, organised, and determined body of men were still prepared to continue the struggle, to denounce government and loyalist tyranny, to meet bravely in convention to decide on tactics, and to organise petitions for reform and peace. The movement suffered badly at the hands of the reactionaries, but it was not crushed. Moreover the strength of radical sentiment could not be measured by counting the attendances at meetings of the different societies. Many so-called "apostates" were no more than cautious, some might say prudent, men, unwilling to risk "loss of employment... and confinement in gaol" but still deeply disaffected.

The authorities and many of their advisers were well aware that while fear could cause men to abandon their political activities it would not persuade them to abandon their political principles.

371. This quotation is taken from a letter written by James Blyth, the secretary of the Newburgh Society of the Friends of Peace and Liberty, explaining why his society's membership numbered only fifteen. The letter was published in 'The Edinburgh Gazetteer', 17 May 1793.
William Pulteney, the Member of Parliament for Bath and a trusted adviser of government on Scottish affairs, wrote to Henry Dundas, from Edinburgh, on 1 January 1793, stating that "I am far from being of opinion that the wild Ideas excited in the lowest classes, will be soon eradicated". He added, by way of warning, "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".\(^{372}\) Pulteney's opinions were partly endorsed by Lord Advocate Dundas who informed the Home Office on 21 January 1793 that, although "Everything is quiet here,... the Spirit of Discontent is only smothered for the present, not extinguished."\(^{373}\) Such fears were widely shared and when, in order to secure the country against both radical insurrection and foreign invasion, it was proposed that Scotland should be given its own militia, the government was soon forced to reconsider its plans. John Rutherford of Edgerston, while anxious about "our present unarmed & defenceless situation", warned that "the introduction of a militia on the English plan, in the present state of mens minds, might be attended with very serious & dangerous consequences". His concern was that the proposed Militia bill would prove profoundly unpopular and that the resultant disturbances might lead to revolution.\(^{374}\) Other correspondents feared not that the people


\(^{373}\) Robert Dundas to Evan Nepean, 21 January 1793. Home Office Correspondence (Scotland) RH2/4/69, ff212-213.

\(^{374}\) Rutherford wrote "that even in England, when the militia was first embodied, it gave rise to very alarming mobs & riots in various parts of the country; & tho' they were easily quelled, the minds of the people at that time being sound & loyal, it might be impossible to say, what might be the consequences of similar disturbances in the present moment." John Rutherford to the Duke of Buccleugh, 29 January 1793. SRO. The Buccleugh Muniments. GD224/663/11, f7.
would resist the raising of a militia, but that they would welcome it as a means of furthering their insurrectionary objectives. John Dunlop of Glasgow wrote to the Home Office on 16 January 1793 stating that "the idea of a Militia is giving serious uneasiness to many people in this Town & its Neighbourhood, and I am fully convinced that it would be highly improper to trust arms in the hands of the lower classes of people here & in Paisley". Moreover, he added, the Friends of the People were "very fond of the idea." Dunlop was not alone in giving expression to such fears. For example, George Paterson claimed that, despite the success of the loyalist associations in checking "the progress of infection", the "disposition of those mens minds are, as yet, very little, if at all altered". He went on to emphasis that while the upper classes were staunchly loyal many of the lower orders, from which any militia would be drawn, were deeply disaffected, and concluded that it would be unwise to raise a militia. Such advice, the government decided, could not be ignored and the militia project was quietly dropped.

375. John Dunlop to [H. Dundas?], 16 January 1793. Home Office Correspondence (Scotland), RH2/4/69, ff177-178. The Friends of the People were less enthusiastic about a militia than Dunlop claimed. In response to a letter from Norman Macleod asking for their "opinions about the Militia", Skirving canvassed his colleagues and reported that "Their opinion in general is That a militia is preferable to independent companies, to fencible regiments and much more so to the quartering of the Eng. Militia upon us." Skirving, however, requested that if and when a militia bill was brought before Parliament, a copy should be sent to the Edinburgh radicals in order that they might study and comment on it. Both Macleod's letter to Skirving, dated 11 May 1793, and the draft, or copy, of Skirving's reply, dated 17 May, are to be found in JC26/280.

Many radicals, had they been aware of the advice tendered by such as Dunlop and Paterson, would have laughed at their fears and apprehensions. They were all too well aware of the weakness of their own position. That weakness could be seen not only in declining attendances at radical meetings but in other areas as well. The Friends of the People were dependent upon a large number of small membership subscriptions to finance their activities and, thus, as active membership declined so income fell. It may well be that the membership had always been something less than enthusiastic when it came to parting with their money, but what is certain is that by 2 January 1793 the problem of non-payment of subscriptions had become so acute as to force the Edinburgh delegate committee to take it into its serious consideration.\(^{377}\) The situation further deteriorated during the course of the month and the committee was informed, at its meeting on 6 February, that while expenditure "amounted to above £60" income totaled only £14.\(^{378}\) An appeal to the societies "to pay up their arrears" met with little response, for the simple reason that the societies had no money to spare. The financial predicament of Canongate No.1 was probably not untypical by this time. The thirty four members who attended the society's meeting on 19 March greeted their Treasurer's report with "a good deal of laughter". Their merriment was owing to "the smallness of the sum drawn and the balance being after all 11d. in favour of the Treasurer."\(^{379}\) William Skirving would have felt some


sympathy for the Canongate treasurer, for when the General Finance Committee presented its report on 14 May it was revealed that Skirving was owed five guineas.\textsuperscript{380} If anything, the financial problems of the radical societies may have increased during the summer as the economy slid into recession and unemployment rose. Thus when in early September the Edinburgh radicals proposed to insert an advertisement in the 'Edinburgh Gazetteer' they found that "there was nothing in the Treasurer's hands to do it with" and a voluntary collection had to be organised.\textsuperscript{381}

The Friends of the People's financial difficulties severely curtailed the dissemination of reformist propaganda, and as a result the number of advertisements in the radical newspaper press fell dramatically. The consequent fall in advertising income, which was paralleled by a sharp decline in sales revenue, drove the 'Edinburgh Gazetteer' and the 'Caledonian Chronicle' towards the financial abyss.

On 27 March J.B. reported that he had "now got certain information that both the Gazetteer & Chronicle will soon be given up, unless a plan, which is now in agitation, for continuing one or both of them take[s] place."\textsuperscript{382} The plan in question appears to have been that put to a meeting, held on the following evening in Mather's Tavern, for a subscription fund through which individual radicals or societies could purchase shares in the 'Gazetteer'. Capt. Johnston, who informed the meeting that he was "determined to give up" the newspaper, proposed a sale price of £700 which was to include £400 in ready cash. Johnston's terms were unacceptable, but negotiations were not broken off and a


\textsuperscript{381} J.B. to William Scott, 6 September 1793. Home Office Correspondence (Scotland) RH2/4/72, ff52-55.

\textsuperscript{382} J.B. to William Scott, 27 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff139-140.
committee of the Friends of the People was appointed to discuss the matter further with the proprietor. 383 While negotiations were still apparently going on the financial position of the 'Gazetteer' became critical. On 16 April 1793 Alexander Scott, (who had succeeded Johnston as publisher on 2 April), requested "the Subscribers to make payment of the first Quarter past due, or prompt payment of the Half Year, which expires in a few weeks... as without a quick return of Money, this Paper cannot now be continued." 384 The response was such that by the end of the month Scott was able to announce that the 'Gazetteer' would continue. 385 However, financial collapse had been only temporarily averted, and on 7 June Scott, complaining both of loyalist intimidation of his former advertisers and readers, and a lack of working capital, informed his surviving readership that the newspaper was to cease publication immediately. 386 Within days of the collapse a meeting had been called to discuss the possibility of a "resurrection." Among those attending this meeting was Capt. Johnston who, displaying a more flexible approach than formerly, offered "to allow the use of the printing apparatus gratis" and to accept only interest repayments until such time as a repayment of the capital became "convenient". 387 The major stumbling block, J.B.

383. J.B. to William Scott, 28 March 1793. Home Office Correspondence (Scotland) RH2/4/70, ff141.

384. The Edinburgh Gazetteer, 16 April 1793.

385. The Edinburgh Gazetteer, 30 April 1793. Scott returned "thanks for the obliging promptitude which our friends have evinced in remitting money from every part of the country; and [for] the liberal support we have been promised".

386. The Edinburgh Gazetteer, 7 June 1793.

reported, was "cash to go forward in the meantime". Johnston showed no interest in providing this, declaring that "he had no concern in it, nor wished any further concern, except to recover his sunk property". Negotiations continued for some days, but on 20 June 1793 the Edinburgh General Committee agreed to meet Johnston's terms and ordered a subscription in both "Town and Country" to raise the required capital.

Lazarus-like the 'Gazetteer' rose from the dead on 2 July, but its financial health remained delicate. The first edition of the resurrected 'Gazetteer' saw Scott appealing for a loan of £500, asking his readers to pay their subscriptions in advance, and warning of a possible increase in price. One week later the 'Gazetteer', which had sold at 3½d. since its inception, raised its price to 4d. The increase, Scott claimed truthfully, was owing to "the want of Advertisements". Survival remained a constant struggle. Both the 3rd and British Conventions urged their constituents to give the 'Gazetteer' all possible support. Much support was required for, as a committee appointed by the British Convention "to take into Consideration the proper measures for supporting the Gazetteer" reported, while the weekly profit was estimated at only

388. IBID.


390. The Edinburgh Gazetteer, 2 July 1793.

391. The Edinburgh Gazetteer, 9 July 1793.

392. The 3rd Convention, having debated Richard Younger's motion "to support the Gazetteer", resolved, on 1 November 1793, "to recommend to the Friends of the People that they ought to do all in their power to support that paper in such manner as Mr. Scott may require". Howell, "State Trials", XXIII, 412. The British Convention, having discussed the Gazetteer issue, "found that all the assistance which was competent to them, was to recommend from the chair to each delegate present to endeavour to prevail with their several societies to collect what money they can for the pecuniary assistance required, and the same was done accordingly". Howell, "State Trials", XXIII, 432.
£2.10/-, the outstanding debt to Capt. Johnston stood at £720, and an immediate capital injection of £500 was required "for carrying on the work". The 'Gazetteer' limped on until January 1794, but the 'Caledonian Chronicle' expired a full six or seven months earlier. Confronted with the same problems as the 'Gazetteer', the 'Chronicle' was unable to secure the same support and gave up the struggle for existence some time prior to 1 July 1793.

Adversity accentuated divisions long apparent within the Friends of the People, and the first quarter of 1793 witnessed serious policy disagreements between the Foxite and radical wings of the movement which were to culminate in the victory of the latter and the secession of the former. One area of major disagreement was over what response the Friends of the People ought to make to the advent of war with France. When, at a meeting of the Edinburgh delegate committee on 2 January 1793, the Rev. T.F. Palmer proposed that they "should declare their sentiments agst a war" and publish their declaration in the newspapers, he was vigorously opposed by John Morthland, a Foxite advocate, and Richard Fowler, a close political ally. Morthland argued that "The sole object of the Convention as Delegates & of their Constituents the associations at large was a Parliamentary reform" and added

393. "Report of the Committee appointed to take into Consideration the proper measures for supporting the Gazetteer". JC26/280. Johnston agreed that if the £500 loan could be raised he would "become joint Security for the repayment", and offered not to demand repayment of the capital debt for at least three years. The report is undated, but the report records that the second meeting of the committee was held in Edinburgh on 27 November 1793.

394. A delegate meeting of the Renfrewshire Friends of the People, held on 1 July, voted thanks to the editors of the 'Edinburgh Gazetteer' and 'Caledonian Chronicle' "for the impartial manner in which they disseminated truth and political knowledge". 'The Glasgow Advertiser and Evening Intelligencer', 5-8 July 1793. The use of the past tense implies that the 'Chronicle', like the 'Gazetteer' had ceased publication by that date.
that "They had nothing to do with any other business". The Foxites were anxious to keep the question of reform separate from all others in order to attract as wide a support as possible. However beyond this strategic objection lay a tactical consideration. Opposition to the French war, they feared, would be easily construed as support for the French revolutionaries and therefore as an expression of British Jacobinism. Nevertheless they shared their colleagues disapproval of the war, and Morthland pledged that "if Mr. P. would bring forward his motions at a public meeting of Citizens, he would heartily co-operate with him, and would be the first to subscribe a Petition to his majesty against a War". Morthland's proposal was taken up and a "public meeting" of "citizens" was arranged for 4 January "to advertise against a French war". This meeting, which was chaired by Thomas Muir, anticipated many others in resolving to oppose the expected war on the grounds that it would be an unnecessary war fought not to defend British liberty but to destroy the newly won liberties of France, and one which would lead to an increase in taxation, the destruction of trade, and, ultimately, national bankruptcy. Further of Edinburgh however the Foxites had little cause for celebration. A veritable host of radical societies had no qualms about publishing the sort of anti-war resolutions frowned on by Morthland and his friends, and, with the exception of three meetings held at Renton on 19 January, Bridgeton on 10 February, and

396. IBID.
397. IBID.
398. The Edinburgh Gazetteer, 11 January 1793.
400. The Edinburgh Gazetteer, 15 February 1793.
and Stirling on 15 February, 401 there is no record of any public meetings being called for the primary purpose of passing such resolutions. Moreover even in Edinburgh efforts were made to reverse the decision of 2 January. On 6 February, at the next meeting of the delegate committee, T. F. Palmer, having read out the Perth Friends of the People's "Solemn protestation against the war", successfully moved that a committee be appointed to draw up resolutions opposing the war. 402 In the event these resolutions were never published. However this omission, it appears, was not owing to any opposition to the principle involved, but rather to a timid apprehension that the proposed phraseology was "seditious". 403

The reason so many societies published resolutions opposing the war was not so much that they felt they had a duty to put their views on the record, but that they felt there was a political advantage to be gained. In this their judgment was sound. There is neither evidence of popular support for the war nor of popular hostility towards France. Indeed the limited evidence available suggests that, if anything, the war was unpopular. Most of the public meetings called throughout Scotland in the first quarter of 1793 to pass judgment on the political crisis resolved not only to support the constitution and

401. The Caledonian Mercury, 18 February 1793.


403. A meeting of the weekly committee of Canongate No.1, held on 15 February, objected to the 4th article of the draft resolution "as infringing upon the Royal prerogative of making War or Peace". J.B. to [Patrick Moir?], 16 February 1793. Home Office Correspondence (Scotland) RG2/4/69, ff325-327. The offending article stated that "we consider our best interests to be so closely connected with the preservation of peace, that we have no hesitation in declaring that the People who bear the burthens have a right to declare their minds &... be consulted... before any measure is adopted in which... the total ruin of the nation may be involved". "Resolution of the Edinburgh Friends of the People against the War", 6 February 1793. JC26/280.
the cause of reform but also to oppose war with France. In part this opposition is to be explained by the popular sympathy for France in its struggles with "armed despotism" which had been made so apparent in late 1792. Opposition, however, was also based upon the fear that war would inevitably increase the economic burdens of the poor. A "general meeting of the People employed at the different Manufactories upon the Water of Leven" (Dumbartonshire), held on 19 January 1793, based their opposition to war on an apprehension that it would inflict severe damage on the textile industry and lead to large-scale unemployment, and warned "that should the Legislature, against the general wishes of the people, plunge us into a ruinous war, we will be obliged to think a reform... more necessary than we have hitherto thought." Cassandra-like much of what had been prophesied by the war's opponents came true, and, by April 1793, the country had slid into a deep recession. As interest rates rose and money became scarcer, bankruptcies multiplied and unemployment rose dramatically, throwing "a very great number of useful and industrious hands" and their families into "a state of absolute want". The radicals were quick to exploit the crisis: as early as 5 April the 'Edinburgh Gazetteer' was asking, "Do not the many and important [business] failures, the thousands of unemployed artisans and the consequent complaints of the people, whisper in the ears of Ministers, Peace! Peace!" By July the Dundee Friends of Liberty were circulating a vitriolic address calling for parliamentary reform and denouncing "this barbarous and calamitous war", while in the economically ravaged west

405. The Glasgow Courier, 2 May 1793.
406. The Edinburgh Gazetteer, 5 April 1793.
of Scotland radical groups in Glasgow, Paisley, and Strathaven were organising peace petitions. Popular opposition to the war had if anything hardened since the first quarter of the year and the organising committees found no difficulty in attracting subscribers for their petitions. The Glasgow Constitutional Association reported that 11,341 people subscribed the Glasgow petition, while Provost William Carlile of Paisley informed the Home Office that "the present derangement in the manufactures of the Place being wholly ascribed to the Warr a Petition for Peace was consequently popular." However, while the war, in Thomas Hardy's words, "opened the eyes of many", it did not lead to a revival within the radical societies themselves. Indeed there is some reason to believe that as the number of sympathisers increased so the membership, of at least some of the societies, continued to decline. The paradox is easily resolved.

408. The Edinburgh Gazetteer, 23 July 1793. The newspaper reported that "petitions of a similar nature are expected from various towns in the neighbourhood".

409. "Report of the Committee of the Constitutional Association in Glasgow on the Glasgow Peace Petition of 1793". Home Office Correspondence (Scotland). RH2/4/74, ff124-127. The report concluded that "Upon the whole it appears that nine-tenths of this petition for peace has been written by schoolboys and illiterate people many of whom cannot spell the most common Christian names such as William, Peter, Robert, &c - and it may be further remarked that few or none out of nearly 700 who subscribe to the Coffee Room have set their names to the Petition and these subscribers are the principal people in the city".

410. William Carlile to [H. Dundas?], 8 February 1794. Home Office Correspondence (Scotland) RH2/4/74, f152. Carlile wrote that the Paisley petition, which had been drawn up and subscribed "some months since", had been "signed by few or none of the Master Manufacturers or other of the respectable inhabitants". Thus despite the economic crisis of mid-1793 the business classes in the west of Scotland declined to join their employees and the unemployed in petitioning for peace. The reason was simple. Peace petitions, in their eyes, were symbolic acts of solidarity with the French revolutionaries and the British radicals.

411. Thomas Hardy to William Skirving, 17 May 1793. Published in Howell, "State Trials", XXIV, 36. Should the war, Hardy added, "continue much longer, there is no answering for its effects on the minds of the people".
only did the fear which had led to the mass desertions of the earlier part of the year continue to operate as a restraining influence upon active membership, but the unemployment and resultant poverty which were such a marked feature of the last three quarters of 1793 prevented many from participating in the movement's activities. James Brown, the secretary of the Glasgow Friends of the People, wrote to Skirving on 24 October stating that "three or four" of the nine delegates elected to the 3rd Convention had declined to attend "as we have no funds to pay their Expenses". The association's financial embarrassment he attributed to "the large sums already expended" and to the fact that "many of the Members being out of Employment and much disheartened... do not attend as well as might be expected". 412

As with the specific policy issue of the French war, so with the question of general strategy did the Foxite wing of the Friends of the People suffer a crushing defeat in early 1793. Convinced that the propertied classes would not join them and that the movement could not hope to triumph in the face of determined loyalist opposition the Foxites began to urge a policy of retreat. The same Edinburgh delegate meeting which had seen Morthland oppose Palmer's motion for resolutions against war, saw him argue that in the face of loyalist intimidation "it would be prudent for the friends of the people to ly by till they should see the issue of their petition to Parliament". As in the other debate Morthland was supported by Fowler who contended that, with so "many people who wished well to the Cause" frightened "by the recent transactions in France, and the Calumnies circulated by the Enemies of reform,... the best thing they could do would be to ly by till the false

impression should wear off.\textsuperscript{413} Morthland was not prepared to ask the association to disband, but he proposed a motion which, had it been adopted, would have brought about the same result. His motion, that future meetings of the delegates be held quarterly rather than monthly, was strongly resisted. One delegate, a certain Mr. Cameron, pointed out that "if the meeting were only to be quarterly the friends of the people would lose Heart altogether;\textsuperscript{414} while John Buchanan spoke for many in attacking the Foxites' "disponding spirit which... would throw a damp upon the whole business of reform.\textsuperscript{415} Three weeks after Morthland's proposal had been rejected John Millar, the advocate son of Professor Millar of Glasgow, presented copies of the burgh reformers' petition to a meeting of the Edinburgh General Committee arguing that the Friends of the People should subscribe them. Millar was supported by Alexander Aitchison who stated that while "a general reform was not to be expected in the present Session of Parl\textsuperscript{t}... he had every reason to believe that the Borough reform... would be granted", but was opposed by others, including John Buchanan, who argued that "the lesser measure if granted by Parliament would in effect defeat all hopes of the greater.\textsuperscript{416} Millar and Aitchison were supported in their endeavours by the leading Foxite member of the association, Lt. Col. Norman Macleod M.P., who, in a speech to the Edinburgh General Committee, expressed "his hopes that something would be done this Session of Parl\textsuperscript{t} - that at least some reform would be made in the

\textsuperscript{413} J.B. to [R. Dundas?], 3 January 1793. Home Office Correspondence (Scotland) RH2/4/68, ff17-22.

\textsuperscript{414} William Scott to R. Dundas, 3 January 1793. Home Office Correspondence (Scotland) RH2/4/40, ff13-16.

\textsuperscript{415} J.B. to [R. Dundas?], 3 January 1793. Loc cit.

\textsuperscript{416} J.B. to Patrick Moir, 24 January 1793. Home Office Correspondence (Scotland) RH2/4/69, ff235-236.
Boroughs - and that this was paving the way for more". Macleod's hint was ignored. The Friends of the People would have no truck with what Skirving called "partial reform", and were, in the words of an unknown delegate, "clear for a Complete reform or none at all."

Despite these rebuffs the Foxites did not give up. The Edinburgh delegate committee meeting on 6 March saw Fowler, having once more urged the movement to refrain from publishing its views on the French war, calling on the societies to admit that their cause was hopeless and to wind up their affairs. He stated -

"That when their Petition was presented to Parliament their business was done... that if it was rejected, as he supposed it would be, they ought to take a farewell of their countrymen by a Declaration, that they had done what appeared... proper to be done for the renovation of the Constitution - but that as a majority of the people as well as of their representatives seemed to be satisfied that the Constitution needs no reparation they would sit down satisfied with having done their duty and prove themselves friends to peace, to order and their Country by yielding to the voice of the majority".

While Fowler's proposal "met with applause from a considerable number", it was "greatly disapproved" of by others, who "thought it savoured too much of a disponding spirit", and rejected. Following on this


420. IBID.
latest defeat Fowler and his allies changed tack and proposed that the forthcoming national convention be "deferred". When, after a delay of ten days "that members might make up their minds upon a step of so much importance", the question was discussed, "it was unanimously resolved, That the Association ought not to flinch one step from the progress they had made... and that... the Societies of the Friends of the People should... countenance the ensuing general meeting". 421

Disillusioned by the course of events in the country and alarmed, no doubt, at the likely consequences of the Friends of the People's resolution to persevere in the struggle, most of the Foxites followed their own counsel and decided to "ly by". The loss of men of the calibre of Lt. Col. Dalrymple, Hugh Bell, John Millar, John Northland, and Richard Fowler was undoubtedly a severe blow, but their departure did not leave the movement in the hands of hot-headed "extremists". 422. When, on 30 April, during the first day's sitting of the 2nd Convention, John Sinclair proposed that the convention should "Enumerate the various abuses in Government, ... make out a Declaration of our rights as Men and Britons, [and] Draw up a Bill of Reform", he encountered a storm of opposition. Led by James Peat, a Dundee stocking-maker, and James Sommerville of Holmes, the country gentleman delegated by the Newton St. Boswells' society, those whom J.B.

421. The Edinburgh Gazetteer, 16 April 1793. The meeting in question was held on Friday 12 April 1793.

422. Meikle, having noted that none of the advocates who had attended the 1st Convention were present at the second, commented "that the delegates as a whole were of a lower type than their predecessors". H.W. Meikle, op cit, 125. C. Bewley, following Meikle, states that the delegates were of a calibre "far below that of the previous one", and adds that "Extremist, ill-educated members outnumbered the moderates". C. Bewley, "Muir of Huntershill", 61. It is difficult to escape the conclusion that these comments tell us more about the social and political prejudices of the authors than about the 2nd Convention.
described as the "moderate men" argued that Sinclair's proposals went "too far beyond our powers and beyond the line of prudence in the present crisis". The "moderate men" contended that the enumeration of "abuses in Government" would only "inflame" Parliament, that a declaration of "our rights as Men" would be an improper step for those "who professed to seek nothing more than a renovation of our Constitution", and that "drawing up a [reform] Bill was a Parliamentary business." The moderates, while they faced much opposition from those who accused them of "timidity", clearly won the day. After "violent debate" the first two of Sinclair's controversial

423. J.B. to William Scott, 30 April 1793. Home Office Correspondence (Scotland) RH2/4/70, ff186-190.


425. J.B. to William Scott, 2 May 1793. Home Office Correspondence (Scotland) RH2/4/71, ff196-199. Alexander Aitchison led the opposition to this proposal. He stated, - "But what was the Gentleman pleading for, a mode of expression, which was no doubt proper for the National Assembly of France to adopt - but would be quite the reverse in us, who professed to seek nothing more than a renovation of our Constitution. He [ie Aitchison] insisted that we had two plain rules of conduct... beyond which we could not step without danger. - These were the Magna Charta of England & the Claim of Rights of the Scots Convention Parliament in 1688 - These comprehended our rights as Britons - but the expressions our 'rights as men' took in a much wider range of political ideas... comprehending the essence of the French Constitution and of Paine's rights of man - a book already condemned by a British jury. Of the truth of these principles he would not dispute - He believed them as firmly as any man. But he would never wish to see an attempt made to establish them in their full extent in this Country at the expense of bloodshed, anarchy and confusion. The French had everything to gain and little in comparison to lose even by a bloody revolution. But we have everything to lose and little in proportion to gain, should such measures ever be attempted... All that we can wish for is a renovation of our Constitution, therefore let us stick to our rights as Britons, but delete the words rights as men".


427. Sinclair also made two uncontroversial proposals which were readily agreed to by the convention. These were that they should "make out a short & comprehensive state of the present representation" and "Frame a general address to the people of Great Britain". J.B. to William Scott, 30 April 1793. Loc cit.
motions were withdrawn, and rather than adopt a draft reform bill the
convention agreed to appoint a committee "to draw up resolutions
respecting the Borough and County Reform". 428 The victorious "moderate
men" were no Foxites. James Sommerville's motion that the Friends of
the People disband after the presentation of their petitions to
Parliament was opposed by "a great majority" of delegates 429 and
defeated, and the convention resolved, on Robert Sands of Perth's
motion, to "persevere in the cause of Parliamentary Reform, until they
shall have obtained the end of which they are associated". 430 Although
few believed that Parliament would look favourably upon their petitions,
the radicals were unwilling to risk needlessly antagonising the House
of Commons as it prepared to consider the question of reform. Equally,
however, the Friends of the People were determined that, in the likely
event of their petitions being rejected, the struggle would continue.

428. J.B. to William Scott, 3 May 1793. Loc cit. The object of the
proposed resolutions was to point out both the inadequacy of burgh and
county reform and the need for radical reform.

429. J.B. to William Scott, 2 May 1793. Loc cit. The 'Edinburgh
Gazetteer', of 7 May 1793, reported that Sommerville's motion was
'universally reprobated, and... negatived without a division'.

430. The Edinburgh Gazetteer, 7 May 1793. A letter from John Lang, the
secretary of the Newton St. Boswells' society, to William Skirving, 16
October 1793, explained that Sommerville's object in making the motion
was to counter the loyalist charge that the Friends of the People sought
to intimidate Parliament. He wrote that "it must... be always the
interest of the enemies of reform to brand the reformers with the idea of
a standing faction dangerous to government, and which government instead
of listening to ought to oppose with all their might". Lang added that
"if it were found necessary next Session [of] Parliament or Session after
Session to present more petitions, the numbers and respectability of the
petitioners would be the only sure rule to judge of the increas or decreas
of real grievances". JC26/280.

431. For example, a delegate meeting of the Renfrewshire societies, held
at Paisley on 8 February, resolved to distribute a Declaration which
stated, inter alia, that "We are determined to persevere in every lawful
exertion, till we attain the glorious end for which we have associated -
Our first application may be unsuccessful, but we should think ourselves
unworthy of the appellation we have assumed, if a temporary repulse could
induce us to depart from the cause in which we have engaged". 'The
Glasgow Advertiser and Evening Intelligencer', 15-18 February 1793.
The decision to "persevere in the cause" reflected not only the radicals' determination but also their belief that the majority of the people still supported reform and that the rejection of their petitions could be exploited as the tyrannical act of an unrepresentative legislature. Indeed some "country" delegates to the 1st Convention looked forward to the expected rejection of their petitions, and one claimed that such an outcome "would increase the number of the associations an hundred fold". However, before these benefits could be obtained the radicals would have to persuade a vast number of people to subscribe their petitions.

By the end of January 1793 the text of the petition had been agreed and copies were being distributed among the various radical societies. Members, former members, and men who had never been members of the Friends of the People were swift to avail themselves of this opportunity to petition for reform. On 9 February Robert Watt, the spy, reported that the petition was "being subscribed by all the Absentees (very few excepted) with equal readiness as those who appear in public", and that in Pathhead of Kirkcaldy and Perth "one half of

432. Meikle, op cit, 270.

433. For the text of the Friends of the People's petition and its accompanying circular letter, see Home Office Correspondence (Scotland) RH2/4/69, ff240-241. The petition was strictly constitutional and appears to have been based upon that of the London Friends of the People. The petition complained that many members of parliament were "appointed by the direct authority or Influence of the Executive Power" or by "powerful Individuals" and that, as a result, the constitutional independence of the House of Commons had been lost. It concluded by asking the House of Commons to "adopt such a Plan for a thorough Reform in the Representation of the Commons in Parliament, as may, in the first Place, make it derive its Existence from the free Choice of the People, as may secure its Independence when Chosen, and finally render it as safe, as it is indispensably necessary, to shorten the Duration of Parliaments". With the exception of one phrase the Scottish petition was studiously moderate in tone unlike many of its English equivalents. The exceptionable phrase in question was - "relying on the virtue of some, and on the prudence of many". Members of Parliament. For the texts of all the petitions, see "The Journals of the House of Commons", XLVIII, 723-743.
their present subscriptions are composed of such as never associated
with them."434 Similar reports filtered in from the west of Scotland.
On 1 March the 'Edinburgh Gazetteer' reported that the Paisley petition
had attracted 12,000 signatures, that in the rest of Renfrewshire 6,000
had subscribed, and that "from every part of the country we receive
intelligence that the minds of the people are firmly determined to use
every legal and constitutional exertion to obtain a moderate reform."435
In Edinburgh, the very citadel of Scots "aristocracy", J.B. reported
on 30 April, "above 500 Subscriptions" had been added "within three
days."436 Three days later the Foxite Members of Parliament began to
present the radicals' petitions to the House of Commons. By 6 May thirty
five petitions had been presented, of which twenty one or 60% had
emanated from Scotland.437 At least two of these Scottish petitions
were of massive dimensions. The Glasgow petition, it was claimed and
significantly never denied, "measured fifty yards in length",438 while
Norman Macleod related that when he unfolded the Edinburgh petition
"it extended from the door to the table" of the House of Commons, a

Correspondence (Scotland) RH2/4/69, ff313-314.
435. The Edinburgh Gazetteer, 1 March 1793.
436. J.B. to William Scott, 30 April 1793. Home Office Correspondence
(Scotland) RH2/4/70, ff184-185.
437. The Scottish petitions came from Glasgow "and its Neighbourhood";
Leven "and its Environs"; Campsie; Hamilton; Kirkintilloch; the "Town
and Neighbourhood of Dundee"; the "Town of Paisley and its Neighbour-
hood"; Montrose; Kilmarnock; "Kirkcaldy, Path-head, Links, and
Neighbourhood"; Newmilns, Darvel, and the parish of Loudon; Perth;
Perthshire; Edinburgh "and its Environs"; Dunfermline; Irvine; "the
People in and about Strathaven"; Galston; Roxburghshire; Linlithgow;
and the "town and neighbourhood of Anstruther". "The Journals of
the House of Commons", XLVIII, 729-738.
438. The Edinburgh Gazetteer, 7 May 1793. See also 'The Edinburgh
Evening Courant', 9 May 1793.
"little circumstance" which, he added, "caught a good deal of attention." However some other petitions were less impressive.

James Rodger, the secretary of the Anstruther Friends of the People, reported that the numbers of signatories to the local petition were "not so great as were expected", while the Auchterderran petition attracted less than fifty subscriptions. Disappointment was also experienced in the Borders. The secretary of the Selkirk society wrote to Skirving on 29 April emphasising not the successes but the difficulties of his society, while the Hawick radicals apologised for the paucity of subscribers to their petition, stating that it had been "subscrib'd by as many as wee could procure [in] so short a time." Elsewhere the petitioning campaign was even less successful. A large number of towns and villages in which radical societies had been established during the course of the winter failed to send their own petitions. There were, for example, no petitions from Shotts, Whitburn, Kilwinning, Airdrie, Dunbar or Cambuslang. Moreover, it seems crystal clear that the total number of petitioners fell a long way short of that originally envisaged by the radicals, rendering

441. Commission of the Auchterderran Society of the Friends of the People, 29 April 1793. JC26/280.
444. The circular letter which was dispatched in January along with copies of the petition asked that completed petitions be sent to either Edinburgh or Glasgow. It is possible therefore that signatures were gathered in such places as Dunbar and Cambuslang and then appended to the respective cities' petitions. However such a policy would only make sense if the number of signatories was too small to justify separate petitions.
laughable any claim that the petitions expressed the views of the majority of the Scottish people. The radicals had failed to put the House of Commons under any pressure and Grey's motion for a committee of enquiry into the state of representation was crushingly defeated, on 7 May, by 282 votes to 41.445

It was not so much the resounding defeat of Grey's motion but rather the failure to secure massive public support for their petitions that punctured radical hopes. Without that support there could be no question of the movement benefiting from the House of Commons' decision and little or no prospect of success. Thus in the wake of this disaster radical morale and attendance at meetings continued to decline.446

Society meetings became infrequent and, in some cases, were suspended altogether.447 John Russell of the Glasgow Friends of the People summed up the attitude of many of his colleagues when he wrote to Skirving on 22 May stating -

445. Parl. Hist., XXX, 925. Macleod was the only Scottish member to vote with the minority.

446. Only eighteen attended a meeting of the New Town (Edinburgh) society on 17 June, while about the same number appear to have turned up at a meeting of the Canongate society the following evening. The disappointing attendance led to the subject of monthly rather than weekly meetings being aired once again within the Canongate society. J.B. to William Scott, 19 June 1793. Home Office Correspondence (Scotland) RH2/4/71, ff257-259. The "fate of our Petition at Parlement" was one of the factors which Andrew Mercer, the secretary of the Dunfermline Friends of the People, believed contributed significantly to the decline in membership of his society. Andrew Mercer to William Skirving, 26 September 1793. JC26/280.

447. By the autumn of 1793 Stephen Gibson of the Linlithgow society was advocating a monthly exchange of correspondence between the different societies and William Skirving, and arguing that "among many other advantages [the adoption of this plan] would cause every Society to meet at least once a Month & prevent their exertions from being so long suspended as they have been in general during the Summer". Stephen Gibson to William Marshall, 25 October 1793. JC26/280. On 15 October 1793 Robert Dundas reported that the meetings of the Glasgow societies "for months past have been almost totally discontinued". Robert Dundas to [H. Dundas?], 15 October 1793. NLS. Melville Papers MSS6, ff65-67. The committee of the Kirkintilloch society met on 30 September 1793 and resolved to "recommence" general meetings as from 10 October. 'The Edinburgh Gazetteer', 8 October 1793.
"should our countrymen not open their eyes and embrace
the Right way - we cannot help it - we have done our duty
so far. 'Men may merit but cannot command success.'"

Many radicals however were less pessimistic. Some believed that the
unpopular French war and the rising unemployment and poverty, which
were commonly regarded as arising from it, would win over the pop-
ulation to a joint programme of peace and reform while others saw
in the putative invincibility of the French and the growing financial
burdens of the country the seeds of military defeat, governmental
collapse, and revolutionary opportunity. Moreover some argued that
the failure to load the table of the House of Commons with a paper
mountain of reform petitions was not to be explained by popular
hostility or indifference to their cause but by the collapse of morale
and self-confidence within the movement. Skirving contended, with
some justification, that "discouragements from friends and the marked
displeasure of all parties, together with the studied outrage of those
under their influence; by alarming some, intimidating others, and


449. See pp. 406-409. The continuance of the war even in the face of
widespread suffering and popular opposition afforded proof, the
radicals argued, of how unrepresentative the House of Commons had
become. A delegate meeting of the Renfrewshire radicals, held at
Paisley on 1 July, resolved "That the little attention, and even
contempt, too often paid to the interest and requests of the people,
the destructive measures pursued, notwithstanding their united
remonstrances, and in particular, the unnecessary continuance of the
war... are in themselves the strongest, most melancholy proofs of the
absolute necessity there is for a speedy thorough Reform". The
Glasgow Advertiser and Evening Intelligencer, 5-8 July 1793.

450. William Skirving wrote to Thomas Hardy, 25 May 1793, stating that
"I have not a higher wish in the present exertions for reform, than
to see the people universally and regularly associated; because I am
persuaded, that the present disastrous engagements will issue in ruin,
and the people then must provide for themselves". Howell, "State
Trials", XXIV, 38.
weakening the hands of all, have exceedingly cloaged the measures of reform, by removing all hope of success". Very few, he added, "could be found to take charge at all of the Petition [and] the rest were indifferent about subscribing what none regarded".451 The key to future progress lay in adopting policies which would restore lost morale. The old policies had clearly failed and the only alternative to dissolution was new policies which would offer the hope and the prospect of success. In England too radical leaders were coming to the same conclusion.

On 17 May Thomas Hardy, the secretary of the London Corresponding Society, wrote to Skirving requesting "a renewal of correspondence, and a more intimate co-operation", and urging that their societies should "unite... not only with each other, but with every other society throughout the nation". With the failure of their petitions, he added, "our attention must... be turned to some more effectual means; from your society we would willingly learn them, and you, on your part, may depend upon our adopting the firmest measures provided they are constitutional".452 Skirving was overjoyed to receive this communication and responded enthusiastically, stating that "I know of no greater service that I can do to my country, than to promote the union you so wisely desire". He agreed that they would have to turn to "more effectual means of reform", arguing that neither rational argument nor weight of numbers behind their petitions had won over men's minds. "What then", he added, "is to be hoped for from repetition?" The way forward, Skirving concluded, was for the peoples of England and Scotland to unite in "one great and indivisible family",

reject the unsatisfactory leadership of the London Friends of the People ("an aristocracy for the good of the people"), and, relying on their own judgment and resolution, perfect their organisation and decide upon "the extent of Reform we ought to seek". Other societies followed the lead of the London Corresponding Society, and on 1 June a relieved and happy Skirving wrote to Daniel Stuart, the secretary of the London Friends of the People, stating that "I had very agreeable communications yesterday and the day before from Sheffield, Leeds and some other places both in England and Ireland which give the pleasing hope that instead of being discouraged by the late disappointments the friends of substantial reform are only roused by a deeper conviction of the absolute necessity of it." Skirving's hopes were further raised when in early July a letter was received from the Nottingham radicals stating that

453. IBID, 37-40.

454. The letter from the Sheffield Constitutional Society, dated 27 May 1793, is printed in Parl. Hist., XXXI, 836-840. It stated their approval of the proceedings of the 2nd Convention and in particular of the resolution to continue with the struggle, their own determination "to be more active and assiduous in the great cause", and their belief that reform would only be achieved "by the powerful interposition of the great body of the people".


456. Almost certainly this is a reference to the "Address of the Four Societies of United Irishmen of Belfast to the Assembly of Delegates from the Societies of Friends of the People at Edinburgh, May 1793". Ireland's voice, the address stated, "shall be heard, Irishmen have willed it, and they must be free". The Belfast United Irishmen went on to express their pleasure at the political awakening of Scotland and to urge the Scots to persevere. "Nor can we suppose for a Moment", the address stated, "that you will ever suffer the Whisper of Malice, or the Frowns of Office to deter you from your pursuit. It is worthy of Men - worthy of you. And ye will not abandon it! We know the Conflict is arduous, But where the public Good is the End - Success is sure". This address is to be found in JC26/276.

457. William Skirving to Daniel Stuart, 1 June 1793. JC26/280.
"The Nottingham Society (anxious for the promotion of parliamentary Reform to which they apprehend their present Governors will never decide but from necessity) are desirous of entering into a closer union and more general Correspondence with the respective Societies of similar Institution in Great Britain: they conceive that on this union only, depends their strength and consequence, and that without a general Co-operation they shall never be able to compel an attention to their just and reasonable demands, without resorting to Confusion and Anarchy, which it is their primary object to avoid". 458

These sentiments were entirely in accord with those of the Edinburgh secretary, and Skirving replied agreeing that "without a general Convention the most respectable partial meetings, the most convincing representation and the most forcible petitions will be in vain". Only the "union of counsels & union of wills", he stated, would induce "the present invincible phalanx of mercenaries" to concede reform. 459

Skirving concluded by exhorting the Nottingham radicals to organise an English convention, but there can be no doubt that what he, and his English correspondents, really had in mind was a British convention which would declare for universal suffrage and annual parliaments.

Thus in the course of a few weeks following on the rejection of Grey's motion the Scottish radicals had abandoned not only the

459. Copy, or draft, of Skirving's reply to Shipley, undated. JC26/280.
460. Skirving appears to have suggested such a convention to Daniel Stuart of the London Friends of the People in early July. Stuart replied, on 23 July, stating that "The plan of delegates would be very improper in this country at present... if such a meeting is attempted, it will operate like many rash steps of some who wish well to the cause, much to its disadvantage". Parl. Hist., XXXI, 842.
leadership of the Whig Friends of the People,461 (a leadership which they had always distrusted), but also the studious moderation which had been the hallmark of their approach to reform. They had agreed in principle with their English colleagues to unite their strengths and "compel an attention to their just and reasonable demands". There were to be no more reverential and deferential supplications to Parliament. The stage had been set for the British Convention and for confrontation with Government. However, before that convention could meet an event was to occur which was to raise dramatically the political temperature. On 30 July Thomas Muir, having abandoned his plans to emigrate to the USA, arrived at Stranraer from Ireland en route for Edinburgh to stand his trial. His was a fateful decision and it was to have far reaching consequences.

461. It is relevant to point out that the London Friends of the People abandoned the cause. Their meeting of 4 June 1793 was the last until 23 January 1794. P.J. Brunsdon. "The Association of the Friends of the People 1792-1796". Manchester University M.A. (1961), 243.
CHAPTER FIVE

"Farewell, sweet Liberty, farewell!"

It is likely that Thomas Muir's decision to leave France owed everything to his growing alarm at political developments there and nothing to the fact that he had been indicted to stand trial for sedition in Scotland. The first quarter of 1793 saw the political situation in France change dramatically. The inability of the Girondins to deal with the mounting economic crisis seriously weakened their position and led to increasing demands for more vigorous revolutionary government. Moreover, a series of military setbacks on the northern frontier, the outbreak of an alarming insurrection in the Vendée, and the treason of General Dumouriez (who was closely identified with the Girondins) heightened popular fears of counter revolution. In this renewed atmosphere of fear, all those associated, however undeservedly, with counter revolution became objects of popular suspicion. Foreigners in particular were much feared and on 21 March "watch committees" appeared, charged with supervising passports, strangers, and foreigners. As a foreigner who had come to France in order to intercede for the life of Louis XVI and as a friend of leading Girondin politicians Muir had good reason to be apprehensive about what the future might hold. On 23 April he obtained a passport authorising him to travel to Philadelphia, on 16 May he booked a passage for New York, and on an unknown date around this time he appears to have written

to his father informing him of his intention to emigrate to America.\textsuperscript{2} Shortly thereafter the revolution of 31 May saw Muir's fears confirmed and his decision vindicated. With the backing of the sans-culottes, the Montagnards seized power and placed the Girondins under house-arrest. As demands arose for effective action against foreigners Thomas Muir set sail for America. On 3 August the arrest of all British subjects was ordered.\textsuperscript{3} Muir had escaped the prison cell that awaited his friend Thomas Paine by a matter of weeks.

Muir's ship, the 'Hope', arrived at Belfast en route for America on 17 July. It was to be in port for some days taking on extra cargo and Muir availed himself of this opportunity to visit some leading Irish reformers. It seems clear that at this stage Muir had no intention of returning to Scotland. No communication was sent either to the newspaper press or to the Scottish legal authorities announcing Muir's imminent arrival. As Lord Advocate Dundas put it, when confronted with Muir's claim that it had always been his intention to return: "How unlucky, how wonderful that not one solitary letter was wafted over by the winds and waves to the Edinburgh Gazetteer, or the Caledonian Chronicle, to give notice of what he says was his earnest wish!"\textsuperscript{4} More telling perhaps is the letter, presumably written at Muir's behest, by Captain George Towers to Muir's father from Belfast which went to some lengths to conceal Muir's identity from all but its intended recipient and left that recipient thinking that his son was still bound for America.\textsuperscript{5} If Muir intended to return to Scotland why

\textsuperscript{2} Howell, "State Trials", XXIII, 166-168.

\textsuperscript{3} G. Lefebvre, op cit, 65.

\textsuperscript{4} Howell, "State Trials", XXIII, 185.

\textsuperscript{5} IBID, 167-168.
did Towers attempt to conceal the fact of his presence in Ireland from any third party into whose hands the letter might have accidently fallen? Moreover is it credible that Muir would have wished to mislead his own father as to his intended destination?

From the Irish radicals Muir may have learned something of the recent unhappy history of the Scottish reform movement. Moreover he would certainly have learned not only of the repression in Ireland, which had seen the Volunteers crushed and leading radicals either jailed or accused of sedition, but also of the Administration's alarming new Convention Bill. This bill, which was introduced into the Irish House of Lords on 8 July sought to declare unlawful all assemblies which aimed to alter "matters established by law in church or state." The object of the bill was to prevent the meeting of a National Convention in Dublin, a project which had been much talked of both before and subsequent to the meeting of the Ulster Provincial Convention in February. The Convention Act, as it soon became after a swift passage through both Houses of Parliament, was seen by the radicals as an unconstitutional, tyrannical measure which threatened the destruction both of the reform movement and of liberty itself. The passage of the act, Archibald Hamilton Rowan stated, "leaves a melancholy but plain alternative; unconditional submission or defiance." The alarm of the Irish radicals was shared by their British counterparts who believed that what the Government was attempting in Ireland provided but a foretaste of what it intended to introduce into Britain. The

7. IBID, 437.
connection between Irish and British politics was well understood by radicals in both kingdoms. On 5 April 1793 the London Society for Constitutional Information wrote to Simon Butler and Oliver Bond of the Dublin United Irishmen, who were then languishing in Dublin's Newgate prison, stating that "as the freedom of one continent has already spread its influence to Europe, so on the other hand we are persuaded that the establishment of despotism in Ireland must end in the slavery of Great Britain." The same point was made in a letter from Hamilton Rowan to Norman Macleod, dated 25 July 1793, which Muir was charged with delivering in person. "The votarys of liberty", Hamilton Rowan wrote, "are of no country, or rather of every country, and... the destruction or establishment of the rights of mankind in one Nation conduces a similar consequence in its neighbouring state." The extreme danger posed by the repressive measures of Government to the liberties of both countries, he argued, necessitated a closer cooperation between the two reform movements and the adoption of bold measures. There can be little doubt that Muir concurred with Hamilton Rowan and every possibility that he saw in himself just the man to persuade the Scots to co-operate with the Irish in resisting the rise of despotism, and to lead the Scottish movement's "defiance". The show trial awaiting him in Edinburgh provided the perfect stage from which to attempt the latter. There he could employ publicly his undoubted eloquence in defence of the Friends of the People and inflict a moral defeat upon both the Government and the loyalist reactionaries. Acquittal would prove that loyalist accusations were unfounded, while conviction would only serve to awaken the country to the danger of

despotism. Whatever the verdict, Muir became convinced, the trial would promote the cause of liberty and reform.

After some days in consultation with Hamilton Rowan, Muir collected a package of United Irish literature for distribution in Scotland, and, on 28 July, set out from Dublin for home. His decision to return to Scotland was his own. While it is certain that Hamilton Rowan would have encouraged Muir, there is no reason to cast the United Irishman in the role of an eighteenth century Svengali. There is no evidence to suggest that Muir was a weak-willed individual and much to suggest the contrary. For example, as a young student at the University of Glasgow he had remained steadfast in his support for Professor John Anderson in his struggle with the University authorities and in his defence of student rights even when it became obvious that his stand would lead to his expulsion from the University. Thus even as a youth Muir had displayed not only strength of character, but a complete disregard for his own welfare in the pursuance of a cause which he deemed to be just. Now, as a man of almost twenty eight, it was this aspect of his personality which came once more to the fore.

Lord Advocate Dundas was decidedly unimpressed with Muir's claim to have returned in order to stand trial, and declared that he had "little doubt" that Muir was "an Emissary from France, or the disaffected in Ireland." He clearly believed that Muir had come to Scotland on a clandestine mission, but in this he was undoubtedly mistaken. Muir could hardly have hoped to deliver the letters he carried from Hamilton Rowan to Col. Macleod and T.F. Palmer or to have

met with Macleod without being recognised and reported to the authorities. Moreover, if it had been his intention to come clandestinely to Scotland he would surely have arranged to land at a more secluded place than Portpatrick, the main port of disembarkation from Ireland.

Shortly after his apprehension, on 30 July, Muir was transferred from Stranraer to Edinburgh where he languished in jail until 13 August. On that day the High Court granted his petition and both reponed the sentence of fugitation against him and awarded bail on security of 2,000 merks. Shortly thereafter some leading Edinburgh Foxites, including John Allen and James Gibson, "hearing that he meant to defend himself, strongly remonstrated against his doing so, being convinced that a man 'who is his own counsel has a fool for his client'." Upon their request Henry Erskine, the Dean of the Faculty of Advocates and the finest pleader at the Scottish bar, offered to defend Muir. Erskine insisted on only one condition. He stipulated that he should have sole charge of the defence, reasoning that if Muir "spoke for himself, he would avow principles and views which would supply the counsel for the crown with the only thing they wanted to make out their case, - the criminal intention." To the astonishment of the Foxites, Erskine's offer was declined. Muir was determined to make the political speech which would have been denied him had he accepted Erskine's offer. He, as much as the prosecution, looked forward to a political show trial. Had he accepted Erskine's help it

13. The Caledonian Mercury, 15 August 1793. Muir's petition, dated 10 August, is to be found in JC26/276.


is possible that he would have been acquitted, but his insistence upon conducting a political defence and his refusal to "descend into the quibbles of a lawyer"\textsuperscript{16} ensured his conviction. The prospect of conviction does not seem to have troubled him, and he appears rather to have gloriéd in his role as patriotic 'martyr'. He believed that the eyes of his contemporaries and of posterity would be focused upon him\textsuperscript{17} and he was determined that he should be seen in an heroic light. At his trial he was to state -

"From my infancy to this moment, I have devoted myself to the cause of the people. It is a good cause - It shall ultimately prevail - It shall finally triumph.... As for me, I am careless and indifferent to my fate. I can look danger, and I can look death in the face, for I am shielded by the consciousness of my own rectitude. I may be condemned to languish in the recesses of a dungeon - I may be doomed to ascend the scaffold - Nothing can deprive me of the recollection of the past - Nothing can destroy my inward peace of mind, arising from the remembrance of having discharged my duty."\textsuperscript{18}

\textsuperscript{16} IBID, 135.

\textsuperscript{17} At least twice during his trial Muir referred to the great political and historical importance of the proceedings. When challenging the composition of the jury, he stated - "This trial is no trivial matter. If affects me, but it affects the country more. The noise of it will pass down to other times, and posterity may fancy their most valuable rights connected with its consequences." Howell, "State Trials", XXIII, 134-135. Later on, when objecting to part of Anne Fisher's testimony, he declared - "This question is of little importance to the individual, who is now struggling for the liberties of his country. But the eyes of your children will be fixed upon this trial, and they will tremble and shudder at the precedent. I feel for the country, - I feel for posterity." IBID, 140-150.

\textsuperscript{18} IBID, 228.
Far from having merely reconciled himself to the possibility of martyrdom, Muir may actually have welcomed it. His letter to William Skirving, written from his prison cell on 30 October 1793, reveals an abnormal, almost masochistic relish for suffering. "I rejoice", he wrote, "in suffering in the cause of liberty [and] I care not for the extent to which that suffering reach". He recalled having stated at his trial that he could look danger and death in the face, and declared that "I can do so still and I can do it with a smile." Nevertheless, whatever the nature of Muir's psychological make up, it seems unlikely that he could have expected the sentence he ultimately received. The evidence of recent sedition trials in Scotland, England, and Ireland would have suggested that the most likely punishment was imprisonment, possibly accompanied by a large fine. As it was not the policy of the Scottish bench to impose long sentences of imprisonment, the most that Muir probably expected to have to face was a year or two in the Edinburgh Tolbooth jail.

Muir's trial, before the High Court of Justiciary, opened on 30 August 1793. The panel wasted no time in demonstrating that his defence was to be conducted in a most unusual manner. The indictment having been read out, Robert McQueen (1722-1799), Lord Braxfield, the Lord Justice Clerk, asked Muir whether he had appointed counsel, and whether he intended to dispute the relevancy of the indictment. "My lord", Muir replied, "I am my own counsel; nor shall I now trouble the Court with any observations whatever, but reserve myself entirely till I come to address the jury, whom in this country I hold to be judges both of the law and of the fact." The refusal to challenge the

relevancy of the indictment was a serious error. With the exception of the two, somewhat different, sedition trials which had been held some months previously, neither the Crown lawyers who drew up the indictment nor the judges who had to determine its relevancy had any experience of dealing with such cases or any precedents to guide them. Moreover, as Henry Cockburn, an extremely knowledgeable and highly skilled criminal lawyer, discovered, the law of sedition was so vague and imprecise as almost to defy definition. 21 Muir himself was well aware of this and asked the jury, when making his final address, "Is there a term [ie sedition] so vague and so undefined?" 22 The scope for legal disputation, as Henry Erskine and others were to show in future trials, was therefore wide, and Muir, as a trained lawyer, should have taken the opportunity afforded him by the procedural rules of the court to try to stop the trial before it could start. His refusal to do so may have owed something to the martyr's scorn for escaping on a technicality, but it owed more to a misunderstanding of the law.

Muir believed that had he challenged the relevancy at this stage he would have acknowledged the right of the judiciary rather than the jury to determine the law in cases of alleged sedition. Superficially at least Muir's reasoning was sound. The discussion of the indictment's relevancy involved the bench in determining whether the major proposition charging sedition could be sustained by the facts libelled in the minor proposition. Thus before the trial could proceed the bench had to decide whether, in their opinion, the works which Muir was accused of circulating or recommending were seditious. This however did not preclude the jury from disagreeing and finding


that the works libelled were not seditious. Moreover it was left entirely to the jury to judge whether the panel had acted with criminal intent. The right of Scottish juries "to be judges both of the law and of the fact" had been settled, albeit in a somewhat unsatisfactory fashion, by the Robertson and Berry case.

The Robertson and Berry case is of great legal importance and therefore deserves detailed consideration. Interest in this case centres upon the jury's verdict which found Robertson guilty of printing and publishing Callender's "Political Progress", and Berry guilty of publishing the same. This verdict, their counsel submitted, was inadequate as neither the pamphlet libelled nor the panels' actions were described as seditious. The panels, it was argued, should therefore be assoilzied and dismissed the bar. Lord Advocate Dundas replied that the objection was "perfectly frivolous", arguing that "the jury did not mean to acquit the prisoners; as in that event, they would have unquestionably returned a verdict of not guilty, or not proven." Foolishly Dundas did not rest there, but went on to quote English precedents where the bench had considered a verdict of "printing and publishing" sufficient to merit sentencing. Dundas' blunder was eagerly pounced on by Henry Erskine. Fox's Libel Act, he pointed out, rendered Dundas' precedents irrelevant, for "if the precise question now before your lordships were to occur in England, the objection must be sustained." Moreover, he continued, it had

23. IBID, 90.
24. IBID, 91-95.
25. IBID, 97.
26. IBID, 100.
27. 32. Geo. III, c60.
long been established in Scotland that the jury were "virtually judges of the law as well as of the fact." On the basis therefore of both common and statute law, he concluded, the verdict, finding only the fact of printing and publishing proven, was tantamount to one of not guilty. The bench however, stating that it was reasonable to infer from the verdict that the jury had found the seditious intention of the panels proven, rejected Erskine's submission. Had there been nothing criminal in printing and publishing the work libelled, the jury, they reasoned, would have returned a not guilty verdict. Nevertheless, despite the rejection of his submission, the bench agreed with Erskine's statement on the rights of Scottish juries. Lord Abercromby stated - "Our law in this respect has always been different from the common law of England, where, in cases of libel, the jury till a late period were judges of the fact but not of the law. With us, even in matters of libel, the jury have always determined both as to the law and the fact. In this case, if the jury had thought either of the panels not guilty, their verdict would have been in different terms." The right of Scottish juries to judge both of the law and the fact was maintained throughout the sedition trials of 1793-1794. Although the bench, when charging the jury, were only too happy to give their opinion of the panel's criminality, they nevertheless clearly directed the jury that it was their right and duty to decide upon that matter for themselves. For example, Lord Justice Clerk Braxfield,

29. IBID, 104-113. The quotation is taken from column 105.
30. IBID, 110-111.
31. IBID, 113-115.
32. IBID, 114.
when directing Muir's jury upon the question of the United Irishmen's Address, stated that he thought it "a most seditious and inflammatory paper", but instructed them to "take it with you and judge of it." Similarly, having declared that, in his opinion, the publications which Muir had been accused of circulating were "most seditious", Braxfield directed the jury to "look over them" and judge the passages libelled in their context. One more example must suffice. Having charged Thomas Fyshe Palmer's jury to decide whether the Address of the Dundee Friends of Liberty was seditious or not, Lord Abercromby declared that -

"in judging of the relevancy the court had occasion to give their opinion upon that question. The decided opinion of the court was, that the writing libelled on, is of a seditious tendency: but, gentlemen, neither our opinion, nor the opinion of any counsel, is binding upon you... it is not only your right and your privilege, but it is your indispensable duty to form your own unbiased judgment upon that writing, and to say, whether it be, or be not, a seditious writing." This right of juries to judge both the law and the fact was of great importance. Despite the attempts of some commentators, both contemporary and more recent, to pin the blame for Muir's 'martyrdom' upon Braxfield, the fact remains that it was the jury, not Braxfield, who found Muir guilty of sedition.

33. IBID, 230.

34. IBID, 230.

35. IBID, 365-366. During the discussion of the relevancy of the indictment Lord Eskgrove remarked - "I am happy to say, that a late incident has shown that we have had more liberty than England has, for in questions of libel, and in questions of seditious publications, it never was in the breasts of the jury to say, whether it was a libel or not in England till lately". IBID, 297.
The fairness of the trial depended, in large measure, upon the impartiality and independence of the jury. Unfortunately for Muir, and for the other radicals who followed him into the dock, it was a relatively easy matter for juries of a fundamentally different temper to be selected. Each stage of the three-part selection procedure provided ample opportunity for the sheriffs-depute, court clerks, judges, and their advisors to 'pack' the jury with "honest, firm & constitutional men." Most of the 'packing' in the Scottish sedition trials was apparently done by William Lockhart, the depute sheriff clerk of Edinburgh, and an unknown assistant, who "regularly went thro' the Jury lists previous to every trial, and after making inquiries respecting those we did not well know, [were] at length enabled to furnish Lord Justice Clerk with firm & honest Juries." The result of this scandalous abuse of the jury selection system could not be rectified in court. The defence had very limited rights of challenge and the all-important right of peremptory challenge was not recognised in Scottish courts. Thomas Fyshe Palmer was outraged both by the system of jury selection and by the lack of legal remedy, and opined that "The Star Chamber could not make more sure of its victim than this method of administering the most important part of the constitution." Muir's jury list was carefully prepared and vetted, with the result that Lord Braxfield was able to select a jury composed entirely of members of the Goldsmiths' Hall Association. Muir, with a view rather to exploit this undoubted propaganda gift than to mount a successful legal

36. The selection procedure is described by Meikle, op cit, 132.
challenge, complained that his jurors were members of an organisation which had not only declared the Friends of the People to be "enemies of the constitution" but had also erased the names of prominent radicals, included his own, from a book containing the subscriptions of men declaring their loyalty to the constitution. "Accused this day of sedition", he protested, "shall these men be my jurymen, who have not merely accused me, but likewise judged and condemned me without knowing me, without leaving me the possibility of the power of vindication?"39

The selection of such a jury mocked natural justice, but Muir's objection was legally incompetent and was therefore rejected by the court. 40 There can be no doubt that the impanelling of this Goldsmiths' Hall jury seriously prejudiced a fair trial. Nevertheless while Muir's task now became more difficult, it did not become impossible. As John Horne Tooke's case illustrates, even 'packed' juries could be persuaded to acquit. His jury too "had been hand-picked to ensure his conviction", but, in the end, took only eight minutes to find him not guilty.41 The outcome of the sedition trials of 1793-1794 was not determined by the undoubted bias of 'packed' juries. Much depended upon the evidence produced and the legal skills of defence counsel.

Muir faced four main charges; viz, making seditious speeches, advising the purchase and perusal of seditious publications, distributing


40. Ibid, 135-136. It is interesting to note that T.F. Palmer wished to make a similar objection to his jury, but was dissuaded by his defence counsel, John Haggart of Cairnmuir. Palmer "had the same objections as Mr. Muir to most of my jury, and to one or two of them much stronger, but my counsel begged of me not to urge them, as the strongest possible would certainly be overuled, and would only irritate." Thomas Fyshe Palmer to William Adam, 11 November 1793. Blair Adam Muniments. General Correspondence 1793, A-Z.

41. A. Goodwin, "The Friends of Liberty", 357.
or causing to distribute seditious publications, and reading and recommending the Address of the Dublin Society of United Irishmen to the 1st Convention. The prosecution case, while being more substantial than most commentators have admitted, was far from conclusive. The evidence on the first charge redounded much to Muir's credit. Far from having excited sedition, all the witnesses agreed, Muir had advocated constitutional reform. Muir, they deponed, had told the Campsie and Kirkintilloch meetings that the reform movement's "sole intention... was to procure a more equal representation of the people, and a shorter duration of parliament", that "there was no other mode of procuring redress, but by applying to parliament", and that "any tumult or disorder would ruin their common cause." Rather than "vilify the monarchical part of the constitution, and represent it as useless, cumbersome, and expensive", as the indictment had alleged, he had stated that "reform was not to affect the King and the House of Lords, but only the Commons." The evidence relating to the second and third charges, that of distributing and advising the purchase of seditious publications, was contradictory. Robert Weddell, a weaver, who had been present when Muir addressed the inaugural meeting of the Kirkintilloch Friends of the People on 3 November 1792, deponed that when someone asked Muir what his opinion was of Paine's "Rights of Man", he replied that "it was foreign to their purpose." Weddell's testimony was fully corroborated by Henry Freeland, who added that Muir had told him that Paine's work "had rather a tendency to mislead weak minds", and by John Brown, a Campsie weaver, who deponed that Muir

43. IBID, 139.
44. IBID, 143.
45. IBID, 139.
46. IBID, 143.
had told the Campsie meeting "that there were some things in Paine which would hardly do, and which were not constitutional". Just as the prosecution's case appeared to be floundering, witnesses were called whose testimonies tended to support the charge. The most important of these witnesses was Anne Fisher, a former maid servant to the Muir family. She deponed that Muir had "frequently said to... country people, that Mr. Paine's Rights of Man was a very good book", and that she had frequently bought Paine's work, "sometimes at the desire of Mr. Muir", for people calling at Muir's father's shop in Glasgow. More specifically, she testified that "John Muir [a Glasgow hat-maker] was much pressed upon by the panel to purchase the book", and that Thomas Muir had advised his hair-dresser, Thomas Wilson, to buy copies of the "Rights of Man" and "to keep them in his shop to enlighten the people." Moreover, she recollected hearing the panel say "that France was the most flourishing nation in the world, as they had abolished tyranny and got a free government", that "many abuses" had crept into the British constitution "which required a thorough reform", and that "the court of justiciary would need a thorough reform too [as] they got their money for nothing but pronouncing death upon poor creatures." 

Muir refused to cross-examine Fisher, stating that he disdained to put questions "to a witness of this description". Somewhat earlier, when unsuccessfully objecting to that part of her

47. IBID, 146.
48. IBID, 147.
49. IBID, 147.
50. IBID, 148.
51. IBID, 151.
evidence relating to his strictures on the administration of criminal justice in Scotland, Muir had referred to Fisher as a "well-tutored spy", and later, when making his final address to the jury, he repeated this accusation, calling her "this domestic and well-instructed spy". No evidence was produced to substantiate this allegation.

Muir preferred instead to appeal to the jury's gentlemanly prejudices concerning the calling of domestic servants to give evidence against their employers, and to refer pointedly to the "retentive" nature of a memory which could recall in detail what had happened nearly one year previously. The 'Edinburgh Gazetteer' supported Muir's accusations, reporting that the Rev. James Lapslie, the loyalist parish minister of Campsie who had helped to procure evidence against Muir, had been seen in conversation with Fisher during the trial and that they had left the court together. Yet if Fisher had been coached

52. IBID, 149.
53. IBID, 215.
54. In his final address to the jury Muir stated - "But if power shall say, that words spoken in an unguarded moment within the sacred walls of a family, amount to this crime, what will follow? Not those with whom you may have acted in your political life, and who, with the impression of the oath of God upon them, can best tell the truth; not those whom you may have admitted to your friendship, and to your confidence, and who best know the secrets of your soul; but the meanest of your domestics, who could hardly approach your presence even in their menial duties, who (if the expression may be used) to the members of a family are almost unknown; These! These! The meanest and the lowest - will be brought forward to swear away your property, your reputation, and your life". IBID, 215.
55. "Her memory", Muir claimed, "possesses a singular quality, retentive to whatever may militate against me, but hesitating and confused to whatever may seem in my favour". IBID, 215. The trial record does not substantiate this claim. There is no evidence that any part of her testimony was either hesitant or confused. Indeed Lord Justice Clerk Braxfield could state that "I never heard a more distinct evidence". IBID, 230.
56. Lapslie had assisted William Honeyman, the sheriff-depute of Lanarkshire, in his investigations at Kirkintilloch and Campsie, and had attended the examination of witnesses. IBID, 141-142.
57. The Edinburgh Gazetteer, 3 September 1793.
to give false evidence against Muir, is it credible that she would have been instructed to testify that Muir had said that "the constitution of this country was very good" and that "he was for a monarchy under proper restrictions" rather than a republic? Moreover, if Fisher had been tutored, why did Muir not attempt to destroy her credibility by subjecting her to a searching cross-examination? What could Muir possibly have feared from such a cross-examination? He was an experienced lawyer, nimble of tongue, and of no mean intelligence, while Fisher was a servant girl who was probably appearing in a court for the first time in her life. The suspicion must be, as K. J. Logue has suggested, that Muir did not dare to cross-examine her because he knew what she had testified to be the truth. Significantly that part of Fisher's testimony which could have been corroborated by any of the other witnesses was so. John Muir, the hat-maker, deponed that the panel "asked him if he had seen Paine's book" and that, when he replied "that he had not, but would be much obliged to Mr. Muir for the loan of it", the panel sent Fisher out to buy it for him. Moreover Thomas Wilson, the hair-dresser, testified that "Mr. Muir, having asked the witness if he had bought Paine's Works" and "being told that he had not, ... advised him to get a copy".

The prosecution now turned its attention to the fourth charge. That Muir had indeed read and recommended the Address of the Dublin


59. K. J. Logue. "Thomas Muir", in History is my Witness, ed. G. Menzies. (BBC, 1976), 29. Logue's account of Muir's trial is the best available in print. It follows the radically new line of interpretation offered by W. Ferguson, and together these contributions have dispelled the "partial history" and "total myth" that surrounded Muir's trial for almost two hundred years. For Ferguson's treatment of Muir's trial see his "Scotland: 1689 to the Present", 256-257.

60. Howell, "State Trials", XXIII, 152.

61. IBID, 151.
Society of United Irishmen to the 1st Convention was easily proved.\(^\text{62}\) However while the witnesses admitted that the address had been opposed, their memories failed them when they attempted to explain why it had been opposed and no-one recollected that Dalrymple, Bell, and Fowler had denounced it as treasonable. Strangely the prosecution did not press their witnesses on this point, but while this omission was undoubtedly a mistake, it was not a serious one. Lord Advocate Dundas was no doubt quite happy to leave a Goldsmiths' Hall jury to make up their own minds about the criminality of an address which even some radical reformers considered to be treasonable.

Muir's own witnesses corroborated the testimonies of Robert Weddell, Henry Freeland, and John Brown, and reinforced the favourable impression given of the panel's intentions. William Skirving, for example, deponed that Muir had always advocated constitutional methods of obtaining reform, had never spoken against "the monarchical part of the constitution", and had "disapproved of many of the principles in Paine's book",\(^\text{63}\) while William Orr testified that the panel's speeches to the Paisley Friends of the People had recommended "peace and regularity, and reprobated riot and sedition."\(^\text{64}\) Thus, overall, the evidence against Muir was far from conclusive. While it had been proved that he had made speeches advocating parliamentary reform, distributed and advised certain individuals to purchase radical publications, and read and recommended the United Irishmen's address to the 1st Convention, it was by no means clear that he had done so with a criminal intention. Astonishingly it was Muir himself who clarified the matter with a speech

\(^\text{62}\) See the evidence of James Campbell, James Denholm, and Robert Forsyth. IBID, 154-159.

\(^\text{63}\) IBID, 169.

\(^\text{64}\) IBID, 179.
which must have sounded, if for different reasons, as sweet to the ears of the Lord Advocate as it undoubtedly did to his fellow radicals in the public gallery. Muir's speech sealed his fate. Some years later James Gibson, (who had by then become Sir James Gibson-Craig), declared "that one, at least, of the jury vindicated the verdict, not on the charge made against him, but on the speech he made in his defence." 65

The first part of Muir's speech was unexceptionable. Having offered the jury a plausible account of why he had gone to France and why he had been unable to return earlier, he argued that all his efforts to promote parliamentary reform had been directed by wholly constitutional considerations. In terms acceptable to even the most reactionary member of his jury he explained that the "excellency" of the constitution depended upon "the due balance of its three impelling powers, King, Lords, and Commons" and that if their "balance" was upset the constitution "becomes a shadow, and it is annihilated." 66 Muir's contention was that the constitutional independence of the House of Commons had been lost and that only "a more equal representation would dry up the sources of corruption" and restore "the stability of your boasted constitution." 67 In seeking "the restoration of the rights of the people" he claimed to have the support of Blackstone, who "maintained the same propositions which I maintain", and of "the illustrious Locke." 68 There was nothing new or criminal in attempting to secure parliamentary reform. In 1782 William Pitt had advised the people to join societies to promote a necessary parliamentary reform, and the Duke of Richmond, now the master-

65. The Scotsman, 24 August 1844.
67. IBID, 191-195.
68. IBID, 192-193.
general of the ordnance in Pitt's cabinet, had advocated universal suffrage. "Shall what was patriotism in 1782", he asked pointedly, "be criminal in 1793?" The implication of all this was clear: Muir was neither a Paineite radical nor a Jacobin, his political principles were based on the Whiggery of Locke and Blackstone, and his political activities were sanctioned by both constitutional theory and practice.

Having thus laboured hard to establish his constitutional credentials he proceeded to throw them and his case away. Rather than drawing the jury's attention to the evidence of Freeland and others in an attempt to distance himself from Paine, he foolishly endeavoured to identify his cause with that of Paine, and invited the jury to judge them both together as if they shared the same dock. Muir sought, in effect, to achieve what not even the greater legal skills and the supreme eloquence of Thomas Erskine, the brilliant elder brother of the Dean of the Faculty of Advocates, could accomplish; namely, the acquittal of Thomas Paine. Moreover the jury which he sought to convince was composed of members of the Goldsmiths' Hall Association, an organisation which had condemned the work in question and offered a reward for information relating to those responsible for its distribution. More than anything else his quite unnecessary defence of the 'Rights of Man' sealed his fate. "You are the first jury in Scotland", Muir stated, "before whom Mr. Paine was either directly or indirectly brought; I trust, that you will act in such a manner as to do honour to yourselves, in doing justice to him and to me; that you will not attempt to annihilate political science, by condemning a work in its nature purely speculative." The 'Rights of Man', he argued, could do no real damage to the constitution, and on the

69. IBID, 194.
70. IBID, 214.
contrary, acted to strengthen it both by pointing out its deficiencies and by misrepresenting its properties so as to reinforce in the reader's mind an appreciation of its benefits. To condemn "works purely speculative, provoking not the people to disobedience to the laws, nor to rebellion, however much these works may differ from the constitution", he declared, "is to destroy the liberty of the press... the best and surest bulwark" of the constitution. 71 All this would have been admirable and appropriate had it been delivered at a meeting either of the Friends of the People or of the Friends of the Liberty of the Press, but it was entirely unsuited to the circumstances in which Muir was then placed.

Amazingly Muir compounded his error by defending a highly seditious pamphlet based upon Volney's 'Ruins of Empires', 72 and entitled "Dialogue betwixt the Governors and the Governed". He informed the jury that

"There is not a word in this dialogue which is not true. Alas! in colours but too faithful, it delineates the mournful history of 6,000 years; - the crimes of despots, and the artifices of imposters, to subjugate and blind the people." 73

In appearing to align himself with the ideologues of the French Revolution Muir undid further his earlier efforts to convince the jury that he was a constitutional Whig reformer and not a Jacobin. Further evidence, in a Goldsmiths' Hall jury's eyes, of Muir's seditious intentions came in an ill-conceived and intemperate outburst in defence

72. The work was entitled "Ruines ou méditations sur les révolutions des empires". It was published in 1791.
of John Barclay, a witness and a friend of Muir who had been insulted
by the Lord Advocate. Dundas' "insolent contempt" for "this virtuous
and venerable old man" roused Muir almost to a fury. "I tell the lord
advocate, I tell the aristocracy of Scotland," he exploded, "I glory
more in the friendship of such an old, poor, and virtuous man, than in
the friendship of the highest-titled peer, who derives the source of
his guilty grandeur from the calamities of the people; who wrings out
a splendid, but a miserable revenue from their sorrow and distress, from
their tears and from their blood, which he squanders in dissipation, to
the ruin of private virtue, and to the contamination of public morals." 74

To defend both himself and a friendly witness from Dundas' clumsy class
insult was justifiable, but to criticise the landed classes in such a
passionately hostile manner and, in effect, to return the class insult
was foolish in the extreme. Denunciations of the landed classes, like a
defence of Paine's 'Rights of Man', belonged more properly to a meeting
of the Friends of the People than to a trial for sedition.

It was the tone and style almost as much as the content of his
speech which told against him. Strident, defiant, and determinedly
political, it was guaranteed to antagonise the jury. For example Muir
maintained

"that every passage in the Patriot, quoted in the libel, is
highly constitutional. The sentiments advanced in them, may
not sound musically sweet to the ears of corruption. They
call upon you to arise and vindicate the purity of your
constitution; to vindicate your long-lost rights; and, if my
feeble voice could extend to the remotest corners of Scotland,
I should resound the same sentiment, in the same language."

74. Ibid, 222.

75. Ibid, 223.
As political declamation this was splendid, but as a legal defence it was, like much else in his speech, maladroit. In choosing to address himself to the nation and to posterity rather than to the jury, Muir virtually convicted himself. However if as a legal defence his speech was a disaster, as political propaganda it was a triumph. When "the Sydney of the age" sat down he received "an unanimous burst of applause" for the public gallery. His hope and intention was that the nation would respond similarly.

Possibly inflamed by Muir’s speech the choleric Lord Braxfield cast judicial impartiality aside and launched into an extraordinary harangue. His political views, which were expressed with typical clarity and force, would have been appropriate to a Goldsmiths' Hall Association meeting but were entirely out of place in a court of law. There were, he directed the jury,

"two things which you should attend to, which require no proof. The first is, that the British constitution is the best in the world; for the truth of this, gentlemen, I need only appeal to your own feelings. Is not every man secure in his life, liberty, and property?... The other circumstance, gentlemen, which you have to attend to, is the state of this country during last winter. There was a spirit of sedition and revolt going abroad which made every good subject seriously uneasily... I leave it to you to judge, whether it was perfectly innocent or not in Mr. Muir, at such a time, to go about among ignorant country people, and among the lower classes of the people, making

76. The Edinburgh Gazetteer, 3 September 1793.
77. Howell, "State Trials", XXIII, 228.
them leave off their work, and inducing them to believe
that a reform was absolutely necessary to preserve their
safety and their liberty, which had it not been for him,
they would never have suspected to have been in danger." 78

As for the panel's mission to France, the Lord Justice Clerk continued,
"he should have recollected that an embassy to a foreign country,
without proper authority, is a species of rebellion". Moreover, he
added, that mission "proves... that he was supposed to have considerable
influence with those wretches, the leading men there, and establishes
his connexion with them." 79 It mattered nothing to the judge that
Muir had not been accused of conducting an illegal embassy to France
or that guilt could not be established through association. That Muir
had gone to France and that he had met with those "monsters of human
nature" in the revolutionary government was enough to prove in
Braxfield's prejudiced eyes that the panel was an enemy to the British
constitution. Even the evidence that Muir had advised against riot and
disorder was turned against him. "Mr. Muir's plan for discouraging
revolt, and all sort of tumult was certainly political", Braxfield
opined, "for until everything was ripe for a general insurrection, any
tumult or disorder could only tend, as he himself said, to ruin the
cause." 80 For Muir's witnesses and for the members of the reform
societies this jaundiced old judge had only contempt. They were "a
rabble", he declared, who had no right to representation. "A government
in every country", he explained, "should be just like a corporation,
and, in this country, it is made up of the landed interest which alone

78. IBID, 229.
79. IBID, 230-231.
80. IBID, 231.
has a right to be represented; as for the rabble, who have nothing but personal property, what hold has the nation of them?"\(^{81}\) The Lord Justice Clerk's charge to the jury was indefensible and a disgrace to the Scottish judiciary. However in political terms it was a gift to the reformers and their allies. Indeed Braxfield's speech could almost have been written by Muir himself such was its propaganda value to the radical reform movement.

The jury having returned their verdict finding Muir "Guilty of the crimes libelled", the bench proceeded to determine the sentence to be imposed. All the judges were agreed on the enormity of Muir's crime. Sedition, in Lord Swinton's eyes, was "a crime of the most heinous kind, and there was scarcely a distinction between it and high treason". It led, he argued, to the dissolution of the social compact, and thus "might be said to include every sort of crime, murder, robbery, rapine, fire-raising, in short, every species of wrong, public and private."\(^{82}\) Moreover, as Lords Henderland and Braxfield remarked, "the indecent applause" which had been given to Muir proved "that a spirit of discontent still lurked in the minds of the people."\(^{83}\) The panel, they concluded, could therefore not be allowed to remain in the country, and, as banishment would only inflict upon another country "a man dangerous to any",\(^{84}\) they resolved to sentence him to fourteen years transportation.

Less than a fortnight later, on 12 September 1793, the trial of Thomas Fyshe Palmer for sedition opened before the Circuit Court of Justiciary at Perth. Palmer was charged with seditiously writing,

\(^{81}\) IBID, 231.

\(^{82}\) IBID, 233.

\(^{83}\) IBID, 232, 236.

\(^{84}\) IBID, 233.
causing to be printed, and distributing the Address of the Dundee Friends of Liberty. This address was an extravagantly worded production which warned the people of Britain that the government was preparing to destroy their remaining liberties and to plunge the country into "the darkness of despotism and tyranny". The only way to prevent "a wicked ministry" from achieving its object, the address argued, was to join with the radicals to recover "our long lost rights". A democratically elected House of Commons was the "only security from the evils of tyranny and aristocracy", but how this was to be obtained the address did not make clear. The only reference to petitioning was hardly calculated to instil confidence in the addressers' motives and intentions. The Dundee Friends of Liberty stated that "We are not deterred or disappointed by the decision of the House of Commons concerning our petition. It is a question we did not expect (though founded on truth and reason) would be supported by superior numbers." 85

Such indeed was the style of the address that it is hard to believe that many juries would have disagreed with the Lord Advocate's assessment of it as "highly seditious & dangerous." 86

The difficult task of convincing the bench that the address was not seditious and that the indictment was therefore irrelevant fell to John Haggart of Cairnmuir, a Foxite advocate, who, along with John Clerk of Eldin, had been engaged for the defence. Criticism of the House of Commons and the government, he maintained, was "warranted by the liberty of the press and by the first principles of our government."

85. The address, dated July 1793, is printed in Howell, "State Trials", XXIII, 239-240.

The language employed in making these criticisms was, he admitted, "firm and nervous" but it was sanctioned by "immemorial custom and the best authorities". While he also admitted that the fears entertained by the addressers were "ill-founded", he claimed that they illustrated "the determined attachment of the Berean Association to the constitution and government". In short, he argued, "the whole scope, and the whole burden of this publication is to recommend another petition to parliament". 87

Haggart's arguments were rudely brushed aside by Lords Eskgrove and Abercromby. Eskgrove dismissed the claim that the intention of the address "was to encourage the people to petition", stating erroneously that "the very words of it are, we neither expected, nor do we expect to succeed in a petition to parliament". Clearly, he reasoned, something else other than petitioning must have been intended. "An original measure", he concluded, "seems to have been in view, to rise, to carry through what parliament refused to grant." 88

The evidence of the first witness, George Mealmaker (1769-1808), a Dundee weaver and a leading light within the local society of the Friends of Liberty, appeared to support this interpretation. On being asked whether, at the time of the address, the society proposed to petition parliament for reform, Mealmaker replied - "I do not remember that being proposed in the Address; and what we were to do afterwards was to be guided by circumstances; we were not sure as to that of petitioning any more". 89 This testimony was contradicted by James Matthew, another weaver, who deponed that "What we meant by it [ie the

83. IBID, 295.
89. IBID, 307.
address] was, that we thought we could not get it [ie reform] this session, but we were not so much disappointed as not to endeavour to petition again next session", but the bench and, it seems, the jury preferred Mealmaker's account.

There was no dubiety concerning the basic facts of the case. It was quickly and clearly established that Mealmaker had written the original draft of the address, but that the panel had revised it and organised its printing and distribution. As the case proceeded it also became apparent that Palmer had been from the beginning deeply worried by the intemperate language of the address. Many witnesses testified that, at a meeting of the Friends of Liberty to vote on the address, Palmer had objected to certain passages as "too strong". James Ellis, a former cotton spinner who had become the panel's companion, deponed that his friend had urged the meeting to "soften" many expressions, "not, says he, but I believe that every word in it is really as true as the Gospel; but the people in power will be vastly ready to make a handle of it against you". He added that the panel had warned "that it might be laid hold of by the people in power, and they would get into trouble". Many of Palmer's suggested

90. IBID, 314.

91. In his charge to the jury Lord Abercromby stated: - "Much has been said of the purity of the intentions of the society: it is said, they had nothing in view but moderate reform. But, gentlemen, you will consider how far that is consistent either with the tenor of the address itself, or with what is sworn to by Mealmaker... who swears expressly that at that time, he had no second petition in his contemplation, and that what was afterwards to be done would have depended upon circumstances. And I confess I much fear that Mealmaker is here telling the truth, and that if they had not been attended to, the conduct of this society would not have proved so pure as their intentions are said to have been." IBID, 371.

92. IBID, 305, 308, 313, and 319.

93. IBID, 319.
amendments were out-voted, but he still agreed to supervise the printing and distribution of the address. He endeavoured however to disguise his involvement in the business, instructing his printer, John Morrin of Edinburgh, that the authorship of the address was to be "kept secret", and it is likely that he judged that the address would never be traced back to him. Thus it can be seen that Palmer fully understood that his activities were likely to bring him into conflict with the authorities.

John Clerk wisely avoided the political declamation which had been favoured by Muir and presented, in his address to the jury, the best possible case for his client. He urged the jury to put aside their political prejudices; to stand apart from the political ferment of the day, and to form a dispassionate judgment. He asked them to reflect that though they might think the panel's opinions were unsound he might still be an innocent man. "If he has said or published anything that does not agree with your own sentiments", Clerk declared, "recollect that in this land of liberty men are free to speak their minds, and even to print their opinions and views of public affairs, though they may be such as it would be inexpedient, and even dangerous to follow." The advocacy of parliamentary reform, he reminded the jury, was not in itself illegal. He recalled that William Pitt and the Duke of Richmond had advocated parliamentary reform, that a numerous

94. Alexander Morrin, an Edinburgh grocer and spirit-dealer, wrote to Palmer stating that "As you very prudently wish it kept secret, that the authors of it may not be traced, I have been thinking you should keep away the date from it, or the words at the head of it, of (Dundee Berean Meetinghouse, July 1793)." IBID, 328. Alexander Morrin was the brother of John Morrin, the Edinburgh printer who had been commissioned by Palmer to print 1,000 copies of the address. IBID, 321.

95. IBID, 339-340.
body of respectable gentlemen including the Lord Advocate had
associated to promote county reform, and that the House of Commons had
appointed a committee to report on the subject of burgh reform.
Palmer's activities, he insisted, were to be regarded as no different
from those of other respectable reformers. There was, he declared,
evidence neither "that the society with which my client connected
himself entertained any ideas hostile to the constitution" nor that
"the prisoner has embraced any of the new and dangerous doctrines." Clerk's contention, in short, was that the panel's political activities
were strictly constitutional and therefore innocent.

The bench disagreed fundamentally with Clerk. There were, they
argued, some important differences between the political activities
of the burgh and county reformers and those of Palmer and his associates.
Lord Abercromby put their point of view well, stating -

"I do, for one, hold that the liberty of this country is
doubtless closely connected with the right to petition all
the branches of the legislature; and when they present that
petition in proper form, and in decent language... then I
hope the legislature will take proper means for redress.
But, if on the other hand, instead of applying in the
regular manner to the only quarter where redress can be
obtained, any public or private man, clergy or laity, shall
think proper to call meetings and collect together
mechanics and those whose education and circumstances do

96. IBID, 345. Palmer's language, he admitted, "is not to be
commended by its moderation", but it was, he claimed, the common
language of modern political debate. IBID, 342.

97. IBID, 347.
not entitle or qualify them to judge of matters of legislation - people ignorant altogether of the very grievances which they are told they are loaded with, till they are assembled and taught that they are in a state of oppression, the case is very different." 98

These comments, which closely parallel those of Lord Braxfield at Muir's trial and those of other judges at subsequent sedition trials, reveal some important points. While it was perfectly constitutional, the Scottish judiciary believed, for gentlemen of education and property to associate together for political purposes, it was sedition to enlist the aid of the 'lower orders' in the struggle for parliamentary reform. To teach the "ignorant rabble" that their rights had been usurped and that the preservation of their liberties was dependent upon the restoration of those rights, the bench reasoned, was to invite disorder and risk insurrection. There could be no question of Parliament acceding to their demands. Lord Abercromby informed the jury that "the right of universal suffrage is a right which the subjects of this country never enjoyed; and were they to enjoy it, they would not long enjoy either liberty, or a free constitution". To tell the people that they had a right to "what would undoubtedly be tantamount to a total subversion of the constitution", he argued, was clear sedition. 99 His colleague on the bench, Lord Eskgrove, concurred in this opinion, arguing that universal suffrage would "overthrow" the present and create a "new constitution", and adding that "if we look to a neighbouring country, where guillotines, massacres, and murders are going on, it is no great encouragement to experiments of this kind". 100

98. IBID, 292.
99. IBID, 368.
100. IBID, 294.
In the judges' view gentlemen of "liberal education" such as Muir and Palmer would have fully realised the likely consequences of their actions and must therefore have been seditiously motivated. "It affords matter of much melancholy reflection", Lord Abercromby observed, "to see a man of liberal education, a man of his station - of his appearance - of his knowledge - of his talents, associating himself with, [and] making himself a member of such societies as that of the Friends of Liberty". Was it to be wondered, he asked, "that the minds of the lower orders of men... should be poisoned, when we see persons of Mr. Palmer's situation, and possessed of his talents, descending to such arts?" 101

Lord Abercromby's suggestion that Palmer had "poisoned" the minds of the Dundonian 'lower orders' was totally unwarranted by the evidence. Indeed in Palmer's case, as in Muir's, the evidence suggested rather that the plebian radicals had acted on their own initiative. The bench however disregarded this evidence because it did not agree with their preconceived ideas regarding the nature of contemporary political unrest. To them, and to the propertied classes in general, it was inconceivable that the 'lower orders' could act politically on their own initiative. The traditional governing classes believed that the organising force behind the recent political riots and the emergence of organised popular radicalism was to be found within the ranks of their own dissidents. When, for example, on 7 June 1792, a public meeting was held in Edinburgh to discuss the King's Birthday Riot, the Lord Advocate announced "that he had got positive information that certain persons in higher ranks of life... not only withheld their assistance in suppressing the riots, but countenanced the lower ranks..."

101. IBID, 373.
by inflaming their minds with seditious principles." The idea that the 'lower orders' only acted at the instigation of their betters was so deeply ingrained in the conservative mind that it was taken for granted rather than explained by loyalist writers. One loyalist essayist for example opined, in May 1793, that "to endeavour to rouse the multitude to force a reform in government is, of all foolish projects, the most pernicious that could be adopted". It was, he argued, the political equivalent of appealing to "an assembly of porters to decide on the merits of Sir Isaac Newton's Principia". Gentlemen radicals, he concluded, "know all this very well, but they no doubt hope, that, by rousing this many headed monster, such a commotion may be produced, as, in the scramble, might leave an opening for them to creep into the saddle of power". This interpretation of contemporary political discontent was based upon a hopelessly inadequate and anachronistic sociological analysis which took no account of the emergence of a numerous class of independently-minded artisans or of the growing popular alienation from the landed classes. It was moreover, in one sense, a remarkably complacent interpretation for it assumed that the lower orders had no real grievances and that the "taciturn regularity of ancient affairs" would be restored if only the fomenters of discontent were apprehended and silenced. Men like George Mealmaker or Henry Freeland were, in the opinion of most loyalists, the simple dupes of "wicked and designing men". In time conservatives were to come to comprehend that the 'lower orders' were quite capable of thinking and acting for themselves, but the old attitudes were tenaciously held and only reluctantly given up. In

102. The Glasgow Courier, 9 June 1792.

November 1794, after more than two years experience of organised popular radicalism, the Rev. Thomas Macknight of Leith could recognise that political speculation was "no longer confined to the closets of abstruse enquirers" and that "the minds of persons, in every station... are agitated, in the discussion of questions, of which they had never, in any former period, conceived an idea", but he still saw the common people as "the tools of ambition... employed, without the smallest concern for their interest, only as the instruments of gratifying the revenge, and aspiring lust, of the factious and disappointed".  

Having been found guilty Palmer was sentenced to seven years transportation. Although his sentence was only half that imposed upon Muir, it was by any reckoning savage and it provoked, like Muir's, an outcry. Few seem to have agreed with George Home who wrote to Patrick Home of Wedderburn M.P. stating that "If you were perfectly acquainted with Muir's crimes I am persuaded you would not think the punishment too severe". More typical of the general reaction to these draconian sentences was that of Alexander Young (1759-1842), a conservatively-minded Writer to the Signet who, in later years, defended Braxfield's conduct of the sedition trials of 1793-1794. Young "never had the smallest doubt that the Scotch Law of Sedition was properly and fairly expounded and applied", but he wished that the sentences inflicted upon Muir and Palmer had been more lenient.

104. T. Macknight. "The Means of National Security Considered as a Ground of Thankfulness to Divine Providence. A Discourse Addressed to the Volunteers of Leith, on the 23rd Nov. 1794; and Published at their Request". (Edinburgh, 1795), 3 and 17.


In Glasgow, it was reported, Muir's trial had not only produced "more firmness and courage in the Friends of Freedom", it had also effected "a wonderful change in many of the other party".107 J.B. stated that in Edinburgh "everybody even the most loyal subjects think [Muir's sentence] by far too severe",108 while James Gibson stated that "all were thunderstruck with the extreme severity of the sentence, and none more than the jury" who were only dissuaded from petitioning for a reduction of Muir's sentence by the receipt of letters threatening them with death for having convicted the great radical leader.109

While conservatives expressed dissatisfaction with the severity of the sentences, other sections of the community violently denounced the whole proceedings. Threatening letters were sent not only to the judges110 who had pronounced the sentences, but also to jurors and the Lord Advocate.111 Some outraged citizens saw the evil hand of government behind the whole business. "Three Sailcloth Weavers" from Dundee, for example, warned Prime Minister Pitt and Home Secretary Dundas that unless Muir's sentence was "anulled" they would "put at once a period to the infamous lives of you two & the King's likewise". They added that

107. [?] to [William Skirving?], Glasgow, 26 October 1793. JC26/280.

108. J.B. to William Scott, 4 September 1793. Home Office Correspondence (Scotland) RH2/4/72, ff50-52.

109. J. Allen, "Inquiry into the Rise and Growth of the Royal Prerogative in England", XV. Gibson's information came from his uncle who had served as clerk to the jury. IBID.

110. Lord Advocate Dundas reported that Lord Justice Clerk Braxfield had received two threatening letters. R. Dundas to [H. Dundas?], 15 October 1793. NLS. Melville Papers. MS6, ff65-67.

111. "Assassin" wrote to the Lord Advocate, on 30 October 1793, stating - "Prepare for your fate, put your affairs in order, your time I hope is short - this is the last intimation from... your Lordship's assassin". Home Office Correspondence (Scotland) RH2/4/72, f98.
if "Muir gets leave to go to America or France we shall not commit the
Murders at present but we will do it as soon as any other person
receives such a sentence mere [sic] because they do what they think is
for the good of their country". These threats do not point to any
serious conspiracy, but they do illustrate the fierce popular resentment
aroused by the trials. That resentment was keenly felt in Edinburgh
where handbills naming the "infamous jury" who had convicted Muir were
posted up on walls and lamp-posts. Wild rumours that an attempt
would be made to rescue Muir from prison circulated in both Glasgow
and Edinburgh, and in the latter city handbills were posted up
"instigating the people to concur" in such an attempt. Sheriff-
depute Pringle did not think that these rumours would come to anything,
but he was disturbed by the new mood in the capital and warned the Home
Secretary that "the minds of the lower class of people will be kept in a
ferment while he [ie Muir] remains". Pringle had discussed the matter
with the Edinburgh magistrates and joined with them "in earnestly
requesting that you will be so oblidging as to take the proper measures
for having him immediately removed from this Country".

112. "Three Sailcloth Weavers" to "Mr. Pill & Mr. Dundas", 3 September
1793. Home Office Correspondence (Scotland) Supplementary. RH2/4/207,
ff507-509.

113. The Edinburgh Gazetteer, 10 September 1793.

114. John Dunlop wrote to the Home Office on 27 October 1793 stating
that "there is a current report & belief among the lower classes of
people that some attempt will be made to rescue Muir". Home Office
Correspondence (Scotland) RH2/4/72, ff84-85.

115. John Pringle to Henry Dundas, 8 September 1793. Home Office
Correspondence (Scotland) RH2/4/72, ff48-49.

116. IBID. See also Thomas Elder to H. Dundas, 7 September 1793. Home
Office Correspondence (Scotland) RH2/4/72, f43.
The Friends of the People, afraid that any violence would only provide the authorities with an excuse to clamp down even harder on their activities, were anxious to disassociate themselves from the threatening letters and provocative handbills. The 'Edinburgh Gazetteer' declared that "no person but an enemy to reform could have been guilty of such improper actions", 117 while William Skirving wrote to Lord Provost Thomas Elder stating that "The enemies of the Friends of the People... think to bring our association into discredit with the public & under the hand of power by taking advantage of the general irritation of mind which the severity of the late sentences... produced to excite tumult". Skirving asked Elder to "avoid every thing that would increase the provocation in the mean time". 118 However if the radicals opposed and indeed feared popular violence, they were far from quiescent in the face of "provocation".

Muir and Palmer's terrible fate convinced radicals in both Scotland and England that the boasted liberties of the British subject were seriously endangered and that despotism was near-at-hand. The 'Edinburgh Gazetteer', which published a comprehensive account of Muir's trial, greeted his conviction with a poem entitled "Farewell to Liberty" which summed up the feelings of most radicals. "Farewell, sweet Liberty, farewell", the poem lamented, "Will thou no more in Albion dwell?" 119 Palmer, "an obscure individual crushed by the

117. The Edinburgh Gazetteer, 10 September 1793.

118. Draft letter from William Skirving to the Lord Provost of Edinburgh, 29 September 1793. JC26/280. J.B. reported that "All present" at a meeting of the Edinburgh General Committee on 5 September 1793 expressed their "disapprobation" of the threatening letters and handbills "which none but blackguards or those who wished to hurt a good cause would be guilty of". J.B. to William Scott, 6 September 1793. Home Office Correspondence (Scotland), RH2/4/72, ff52-55.

119. The Edinburgh Gazetteer, 3 September 1793.
tyrannical hand of power", explained radical fears, stating that his fate "may be that of every man, who condemns the measures of administration, who lays open the consequences of this disastrous war, or who endeavours after a reform in parliament". If, he added, "the servants of the crown can three times pack the jury, which is to sit on the accused, if they have the dreadful power of any punishment short of death, which servility or interest may dictate, and if from their sentence, or the illegality of their proceedings no appeal lies, it is evident that in Scotland a disposition prevails equal to that under the Stewarts, the more insulting in proportion as a semblance of the forms of freedom is preserved".  

On 4 September James Calder, a student in the University of Edinburgh and a member of the Canongate Society of the Friends of the People, wrote to Skirling melodramatically describing his fears of despotism and arguing that the people were certain to defend their rights. He wrote:

"I beheld the agents of corruption, after having swept away the barrier of law, leveling with the dust the already tottering edifice of British Liberty, and, armed with vindictive fury, inflicting the most arbitrary punishments on those, who, by timely reparations, wished to restore it to its pristine Strength and Beauty...

Then Despotism, with triumphant exultation, stalked uncontrolled through our Island. Avaunt, said I,... ye mournful ideas! Shall they whose blood has often flowed

120. Thomas Fyshe Palmer to William Adam, 11 November 1793. Blair Adam Muniments. General Correspondence, 1793, M-Z. Palmer sent an almost identical letter to Charles Grey on 29 October 1793. This latter is to be found in the University of Durham Archives. Earl Grey Papers. 2nd Earl Grey's Papers. Papers on Parliamentary Reform.
in defence of their Rights ever suffer them to be indignantly trampled upon? No! Britons never shall be slaves". 121

Calder's thoughts were in accord with those of most of his fellow radicals. They were certain that the public shared their fears and that a determined stand in defence of liberty would win widespread support. Within days of Muir's conviction they had begun their campaign. Meetings were held and resolutions passed stating their refusal to be intimidated and their resolution to continue with the struggle, warning the public of the dreadful threat to their most basic political rights, and implicitly threatening the government with armed resistance if they should persevere with their policies and establish a despotism. On 5 September the Edinburgh General Committee met to discuss their response to Muir's conviction. The meeting was attended by numbers unequalled since the heady days of November-December 1792, and J.B. claimed that it was "the most numerous meeting I ever saw in the Lodge". 122 At Skirving's suggestion the meeting adopted a series of fiery resolutions. They resolved that it was their duty "in this hour of trial and danger, to come forward, like honest Men, and to declare, that they will not part with their rights and liberties, but with their lives". They affirmed that they would not "depart from the Constitutional rule, which they have adopted", but warned that if government made constitutional agitation for reform impossible then insurrection would become inevitable. The Edinburgh radicals prayed "that they may never be driven to that awful point at

121. James Calder to William Skirving, 4 September 1793. JC26/280.
which resistance becomes duty; when the voice of reason is no longer heard, when complaining & remonstrating are interdicted and when the will of the ruler is made the Law to an enslaved people". At that point, they added, "every true friend to his country would lift an Arm indignant against the real enemies, the oppressors of mankind". Money was collected to pay for the publication of these resolutions, but Alexander Scott, the editor of the 'Edinburgh Gazetteer', took understandable fright and refused to publish them arguing that they were "dangerous and might hurt both the Cause and the paper." Equally determined and scarcely less threatening resolutions were passed by other societies and published in the 'Edinburgh Gazetteer'. The Strathaven Friends of the People, for example, met on 13 September and declared that they were not "intimidated by the unhappy situation of our suffering brethren" and were "too thoroughly awakened to abandon the cause, or yield up our invaluable privileges". Inspired with the love of liberty, they added, the Strathaven 'patriots' -

"Smile at the drawn dagger, and defy its point.
Our lives and liberty being bound together,
Before we yield the one, we'll lose the other." The Friends of the People saw themselves as latter-day representatives of William Wallace and Robert Bruce selflessly contending for the nation's liberty against tyranny, and they drew their inspiration both from Bruce's dogged perseverance in the face of seemingly invincible

125. The Edinburgh Gazetteer, 24 September 1793.
opponents and from his ultimate victory. On 24 September 1793 the 'Edinburgh Gazetteer' published a poem entitled "The Ghost of Bruce" in which the spirit of Scotland's patriot king meets with a despondent reformer and urges him to persevere, stating -

"The time is now arriv'd, when all that's dear
To Britons shall arouse them from their sleep,
To sleep no more, till each brave Briton's free." 126

The radicals appealed to the public to live up to the patriotic example of their ancestors who had fought alongside Wallace and Bruce. On 4 October the general committee of the Edinburgh Friends of the People issued an address calling upon "the RABBLE." 127 by the remembrance of their patriotic ancestors, who shed their blood in the cause of Freedom... to DEMAND, with the firm and energetic voice of justice, the restitution of their rights." 128 The question was, would the public answer their appeal?

The months of September and October 1793 witnessed a dramatic revival within the societies of the Friends of the People. That revival was particularly marked in Edinburgh. On 4 September J.B. reported that "Last night we had the most numerous meeting of the Canongate association that we have had for a considerable time past," 129 while three days

126. IBID. Similar ideas inspired Burns to write the infinitely more impressive "Scots Wha Hae". In a letter, dated 30 August 1793, Burns explained that he "had no idea of giving myself any trouble on the subject, till the accidental recollection of that glorious struggle for Freedom, associated with the glowing ideas of some other struggles of the same nature, not quite so ancient, roused my rhyming Mania". J. De Lancey Ferguson. "The Letters of Robert Burns". (Oxford, 1931), II, 196.

127. Braxfield's insulting reference to the "rabble", like Burke's to the "swinish multitude", was neither forgiven nor forgotten.

128. The Edinburgh Gazetteer, 8 October 1793. The text of the address is also to be found in Howell, "State Trials", XXIII, 565-567.

later Lord Provost Elder informed Home Secretary Dundas that "Muir's sentence has revived the frequency of the meetings of the societies called the friends of the people, and in considerable numbers." Such was the strength of this revival that by 29 October, when the 3rd Convention assembled, the Edinburgh societies had regained much of the ground which had been lost during the first part of the year. Detailed information about the active memberships of the different Edinburgh societies is not available for this period, but a comparison of the delegation figures for the 2nd and 3rd Conventions strongly suggests that membership had increased substantially since May. While the Canongate No. 3 and Cowgate societies sent fewer delegates to the latter convention, eight societies sent more. Two other Edinburgh societies (the Lawnmarket and Bridge Street Friends of the People), which had been unrepresented at the 2nd Convention, sent eleven and eighteen delegates respectively to the 3rd. Overall the Edinburgh societies increased their representation from seventy one to one hundred and thirteen. Elsewhere too the revival was evidenced by an increase in the number of delegates sent to the respective conventions. The Linlithgow society which had sent only one delegate to the 2nd Convention sent four to the 3rd, and the East Linton society which had been unrepresented at the earlier convention delegated three representatives to the latter. Similarly the Dalkeith society, which had apparently become moribund during the summer, resumed its meetings in the autumn and increased the size of its delegation from three.

130. Thomas Elder to H. Dundas, 7 September 1793. Home Office Correspondence (Scotland). RH2/4/72, f43.

131. The delegations to the 3rd Convention are recorded in Howell, "State Trials", XXIII, 391-393, while those to the 2nd are most conveniently to be found in Meikle, op cit, 274-275.

132. William Scott wrote to Robert Dundas on 8 November 1793 stating that "Some attention must be paid to the meetings at Dalkeith, which are now commenced again". Home Office Correspondence (Scotland). RH2/4/72, ff137-138.
to four, while the Penicuik society doubled its representation from two to four. Equally impressive were the increases in the number of delegates sent by the Dundee, Kilmarnock, Kirkcaldy, and Glasgow societies. The revival in Glasgow may well have matched or surpassed that in Edinburgh. Lord Advocate Dundas informed the Home Office on 15 October that "John Dunlop was here yesterday from Glasgow, & states to me that within this week they [ie the Friends of the People] have been endeavouring with much assiduity to revive their clubs, which for months past have been almost totally discontinued", while an unknown Glaswegian correspondent of Skirving commented on how "these trials... have in some measure raised not only the Societies but the people at large from that seemingly incurable lethargy into which they had fallen". It would seem that by 17 October there were ten societies of the Friends of the People meeting in Glasgow and its suburbs, which suggests that the Glasgow association had gone some way to recovering the ground lost since December 1792. Some of the radical societies in the towns and villages surrounding Glasgow also experienced a revival in this period. On 30 September 1793 a committee meeting of the Kirkintilloch Friends of the People resolved to

133. Dundee's representation rose from one to three, Kilmarnock's from one to four, Kirkcaldy's from two to five, and Glasgow's from three to nine.


135. [?] to [William Skirving?], Glasgow, 26 October 1793. JC26/280.

136. The Glasgow Advertiser and Evening Intelligencer, 14-18 October 1793. An advertisement, placed by James Brown, the secretary of the Glasgow Friends of the People, called upon "The Saltmarket-Prince of Wales-High Street-Prince's Street-Argyle Street-Dovehill-Gorbals-Tradestown-Calton, and Bridgetown Societies... to meet at the usual time, in their respective places, to appoint deputations to attend a General Meeting, to be held in Grinston's Tavern on Wednesday the 23rd inst, for the purpose of taking into consideration matters of the utmost importance [ie the election of delegates to the 3rd Convention]."
recommence general meetings of the society from 10 October, \textsuperscript{137} and whereas the society had been unrepresented at the 2nd Convention it sent one delegate to the 3rd. Similarly while neither Gorbals nor Hamilton were represented at the 2nd Convention both sent a delegate to its successor. \textsuperscript{138}

The comparison of delegation figures, it must be stressed, can only provide a rough guide to changes in levels of active membership within the different societies. The Dunfermline Friends of the People, for example, sent three delegates to both the 2nd and 3rd Conventions, yet it is clear that the society's active membership, after falling for much of the year, increased substantially in the period immediately preceding the October convention. Andrew Mercer, the secretary of the Dunfermline society, wrote to Skirving on 26 September stating that "these two Memorable tryals has been the occasion of adding new members to our society every meeting since." \textsuperscript{139} Nevertheless it is significant that the Montrose, Anstruther, Mid Calder, Whitburn, Musselburgh, Selkirk, Hawick, Kilmarnock, Kilwinning, Galston, Darvel, and Fenwick societies, all of which had been represented at the May convention, were unrepresented at its successor in October. Moreover it is striking that the Perth Friends of the People, which had been represented by seven delegates at the 2nd Convention, sent only one to the 3rd, and that the Paisley societies' representation fell from seven to three. Some of these societies may have attracted new members during the

\textsuperscript{137} The Edinburgh Gazetteer, 8 October 1793.

\textsuperscript{138} Although the Gorbals society had been invited to send a "deputation" to the Glasgow general meeting to elect delegates to the convention, it appears to have declined the offer and to have decided to send its own delegate.

\textsuperscript{139} Andrew Mercer to William Skirving, 26 September 1793. JC26/280.
period under review, but clearly they had not as yet fully recovered from the political and economic setbacks of the preceding months. Thus while there was an undoubted revival in the fortunes of the Friends of the People during the autumn months of 1793, that revival was far from universal or complete.

The radicals' difficulties were in part financial. James Brown, the secretary of the Glasgow Friends of the People, informed Skirving that there were "no funds" to pay delegates' expenses to the convention and explained that "many of the Members being out of Employment... do not attend as well as might be expected". He added that "our brethren in Paisley have only appointed one Delegate... which we suppose must be owing to their having no money to pay their travelling charges, and at such a time as this when business is in such a low state, it cannot be expected that Mechanics can go such a far journey at their own expence". His supposition about the financial problems of the Paisley radicals was well founded. On 18 October James Waterston, the secretary of the Paisley societies, wrote to Skirving declining his offer of copies of Palmer's trial and stating that "money is very scarce and people are much cast down". Unemployment and financial hardship were by no means confined to the industrial west, although the problem there was probably more serious than elsewhere. Thomas Fyshe Palmer, writing from Perth on 8 October 1793, recorded that "the distress of the manufacturers here is daily augmenting", while in Kirkcaldy it was reported that "On some fabrics, the price of weaving has fallen $\frac{1}{12}$, on others $\frac{1}{6}$ and $\frac{1}{4}$, and on

a great proportion of the coarser goods \( \frac{3}{7} \) of the former prices”, with the result that many of those who were fortunate enough to be still in employment were taking home “earnings that are hardly sufficient to maintain their families”. The increasingly alarming scale of unemployment served not only to deprive radically inclined men of the money necessary to fund their political activities, but also to reinforce the intimidatory effect of loyalist economic boycotts. It was one thing to risk incurring the wrath of conservative employers when business was brisk and jobs relatively plentiful, it was quite another when employment was hard to find. Thomas Watt wrote to Skirving on 26 October reporting that the Dunbar Friends of the People “protest great friendship but refused to do anything in support of the cause” and adding that “you have little to expect from this part of the country as it is most terribly under Clerical and Aristocratical influence”. Another of Skirving’s correspondents informed him that “a great number of the people” in and about Culross (Fife) “are very favourable to the cause of the Nation, and would be happy in having a society instituted thereabouts, but are depressed much by aristocratic influence”, while Andrew Taylor reported that attempts to form a society in Haddington had proved unsuccessful owing to the threats of the burgh magistrates and the economic intimidation of suspected radicals by “the wealthy part of the townsmen”. There was however another factor which acted to retard the revival of the Friends of the People. John Dunlop of Glasgow probably hit the nail on the head when he commented

143. OSA, XVIII, 32-33.
144. Thomas Watt to William Skirving, 26 October 1793. JC26/280.
145. J. McCleish to Wm Skirving, undated, but dateable to the period September-October 1793. JC26/280.
146. Andrew Taylor to William Skirving, 22 October 1793. JC26/280.
"I do not think the people here have confidence in the Leaders of the Party; although I believe the general principles of it have taken very deep root and are making daily progress."  

Some radicals it seems were beginning to become nervous about the more strident and aggressive tone adopted by their colleagues, while others doubted whether their efforts would be crowned with success. On 16 October John Lang, the secretary of the Newton St. Boswells society, wrote to Skirving stating that "I could wish the friends of reform would always conduct themselves in such a manner as that Malevolence itself could not find one unconstitutional word or action to bring against them as matter of accusation, as this moderation is the only means that can effectually silence their adversaries and insure their final success". He argued that the movement should limit itself to organising and submitting petitions for reform and should avoid all appearance of being "a standing faction dangerous to government", adding that "It may be difficult for some violent minds to enter into this idea, but I hope you will find it upon mature deliberation to be proper and rational". Just over a week later Alexander McGibbon of the Stirling Friends of the People wrote to Skirving in a similar vein. McGibbon hoped that the forthcoming convention "will reflect honour on the Societies from which it flows" and be marked by "that dignified conduct which such a glorious cause ought uniformly to produce". He warned that

"The ideas of Reform with many, I fear, are too much blended with those of Revolution. To exclude all such every Society, should be our greatest care. It is that alone which can


disappoint you; for by permitting persons of such
dangerous principles among you, your enemies will gain
the greatest advantage, and hold you up to the world as a
Sett of Levellers under the mask of hypocrisy. 149

Similar fears filled the mind of Captain William Johnston. In particular he was worried by a rumour that the forthcoming convention would denounce all those reformers, including the Whig Friends of Liberty, who were not prepared to advocate universal manhood suffrage and annual parliaments. He wrote to Skirving warning him that if the rumour was substantiated then "from that moment you will be considered as pursuing a similar conduct with the Jacobin clubs in France; and instead of bringing about a constitutional redress of grievances, that you mean to mark characters for the intent of destroying them". He stated that he was "convinced that we have the ball at our feet... but should we proceed to violent denunciations, the next course to be adopted will be violent measures; - both ought to be avoided". He concluded by urging that the convention "manifest to the whole country an orderly but firm conduct", arguing that "nothing will more insure success to the friends of liberty than candour, firmness, and constitutional integrity". 150

149. Alexander McGibbon to William Skirving, 24 October 1793. JC26/280. Skirving replied assuring McGibbon that "my great object in urging our association first & last was to prevent revolution (which I have seen for years past approaching with hasty strides) by a substantial reform", and adding that "our association in this place has gradually purged itself of the fiery sons of revolution who happened to get in amongst us". W. Skirving to A. McGibbon, 26 October 1793. JC26/280.

150. The undated letter is published in Howell, "State Trials", XXIII, 65-67. A subsequent letter, dated Monday 18 [October 1793], advised, "let Magna Charta and the Bill of Rights direct your conduct, - don't waste your time in weak and trifling debates - be dignified and constitutional". IBID, 67. Similar advice was proferred by the London Friends of the People. Daniel Stuart, the secretary of the London society, wrote to Skirving on 29 October 1793 stating "I hope none of the violence which has done mischief to the cause of reform in England will be imported into the Scottish Convention. The Conduct of the Friends to Reform in Scotland has always been admired and I hope their prudence and Moderation will be continued". JC26/280.
Johnston's conviction that the Friends of the People had the ball at their feet was not shared by all his colleagues. The confidence of many radicals had been badly shaken by the set-backs of the past year and by their inability to make any progress towards the achievement of their objectives. In many places the facile and extravagant optimism of late 1792 had given way to deep pessimism. James Blyth of the Newburgh Society of the Friends of Peace and Liberty, having reported that "the paucity of our number and the weakness of our finance make it altogether impracticable for us to send a delegate", sorrowfully declared that "We sit in the midst of a blind, intoxicated, and prejudiced people, the majority of whom are possessed with a spirit synonymous to the herds of the stall."\(^{151}\) In Montrose radical morale was also at rock-bottom. William Christie informed Skirving that he found "their patriotic spirit so low [he] thought it quite needless to call them together, or to propose electing a delegate on the present occasion". He added bitterly that "While they continue in their present languid frame, they are not worthy to be represented".\(^{152}\) Even in Glasgow, where as we have seen there was a considerable radical revival, many of the Friends of the People were reported to be "much disheartened". James Brown, the secretary of the Glasgow association, explained that the two earlier conventions were felt to have been of "little service" and that the forthcoming convention was expected to achieve "little good... except that of keeping the Spirit alive, untill there be a Convention of the English Societies also".\(^{153}\) Even more pessimistic was a letter written by one

of the "deputies" of the Glasgow societies to the 3rd Convention. Having noted that the recent trials had raised the Friends of the People and "the people at large" from their previous "Lethargy", he opined that this happy state of affairs would prove but temporary and that "the cause of Freedom in this Country will die apace". Many of the radical reformers, he claimed, regarded parliamentary reform more "as a passtime than a business of serious importance", and would "rather than part with a shilling... give it up altogether". Moreover he saw little hope of winning over the bulk of the population to the cause. The Glasgow Friends of the People, he stated, had voted at a recent meeting to support universal manhood suffrage and annual parliaments, "but alas! until the nation in general think as we do, which I begin to despair of ever seeing, we need not expect its accomplishment".154

Despite the fears of some that the proposed 3rd Convention would act irresponsibly and the pessimism of others regarding its utility, the majority of active radicals were convinced that it was absolutely necessary. Their point of view was clearly explained in a letter from Skirving to the secretary of the Laurieston Society of the Friends of the People. "I trust", he wrote, "your Society will be convinced as we all now are that a strenuous, bold and open adherence to the cause of Parliamentary reform is now the incumbent duty of every wise and good member of the Society and that if we do not at this time strenuously maintain our rights we may be... made slaves".155 On 30 September Skirving issued a circular letter calling upon the various societies to meet "with all convenient speed" and elect delegates to

154. [?] to [William Skirving?], Glasgow, 26 October 1793. JC26/280.
155. William Skirving to [Mr. Bunn?], 16 October 1793. JC26/280.
the convention which was to meet in Edinburgh on 29 October. Two days later he wrote to Thomas Hardy mentioning the planned convention, but issuing no specific invitation to the London Corresponding Society. On 5 October Hardy wrote back stating that both he and Maurice Margarot (1745-1815), the society's chairman, considered the forthcoming convention "to be a very excellent measure", and politely requesting that Skirving send an official invitation "without delay". In the event Skirving had no need to reply for Alexander Callander, a member of both the London Corresponding Society and the Canongate Society of the Friends of the People, had already written, on 5 October, to "Brother Hardy" stating that it was "the unanimous desire and wish" of the Edinburgh association "that two persons, if possible, should be sent from our society in England as delegates to meet our dear northern friends in the ensuing convention." Despite the urgency of the matter, the wheels of the London Corresponding Society ground slow. On 10 October Callander's letter was referred to the divisions "for

156. "To the Friends of the People, and of Parliamentary Reform", Edinburgh, 30 September 1793. JC26/280.


158. A. Calender to T. Hardy, 5 October 1793. Printed in Howell, "State Trials", XXIV, 421-422. Alexander Callander was the son of John Callander of Craigforth (died 1789), a Stirlingshire landowner and advocate with an interest in and knowledge of Greek antiquities. The Caledonian Mercury', 5 December 1793. For his father see 'The Dictionary of National Biography', VIII, 255. His elder brother James who inherited an estate valued at £1120 in 1771 was a colonel in the army. C. Adam, ed. "The Political State of Scotland", 330. L.R. Timperley, ed. "A Directory of Landownership in Scotland". Scottish Record Society. New Series, V, 334. Alexander Callander, it appears, had only recently moved from London to Edinburgh. The 'Caledonian Mercury' of 5 December 1793 describes him as "from London". He may have come to Edinburgh to study. Lord Advocate Dundas described him, at Margarot's trial, as a student at the University of Edinburgh. Howell, "State Trials, XXIII, 886."
their consideration", 159 on 17 October the delegates' "Articles of Instruction" were drawn up and agreed, 160 and finally on 24 October, only five days before the convention was due to assemble, a general meeting of the society was held at which Margarot and Joseph Gerrald (1763-1796) were elected as delegates. 161 The London Corresponding Society had been given little time in which to organise a delegation, but it appears that the other English societies were given less. It was 10 October before Skirving sent out a circular letter to the English societies inviting them to delegate representatives to the forthcoming convention. 162 Bearing in mind both the time it took letters to reach destinations in England and the time it would take delegates to travel to Edinburgh, the societies were left with something less than a fortnight in which to organise their delegations. This task proved beyond them all. Only the London Society for Constitutional Information managed to elect delegates, meeting on 28 October, on the eve of the convention, to choose Charles Sinclair, a young emigré Scot from Edinburgh, and Henry Redhead Yorke (1772-1813). 163 The other English societies, while approving of the convention, expressed "sorrow that the intimation had not reached them in time to send delegates from so great a distance." 164 The Sheffield Constitutional Society, for example, wrote to Skirving stating "That it would have given this society the most heartfelt satisfaction to have had a delegation present


160. IBID, f74.

161. IBID, f77.

162. A copy of the letter is to be found in JC26/280.


at their approaching convention, had we received timely notice...

but it unfortunately happens, that all the gentlemen belonging to the society, which it would choose for so important a business, are so previously engaged in affairs which they cannot possibly postpone in so short an interval". While it is probable that many of the English 'provincial' societies would have been unable to send delegates even if "timely notice" had been given, Skirving's lackadaisical behaviour was nevertheless unforgivable. It had been agreed as early as May that the 3rd Convention should meet at the end of October, and, as we have seen, agreement had been reached with the English societies during the summer on the principle of a British Convention. The result of Skirving's administrative bungling was that no English delegate had arrived by the time the convention assembled on 29 October.

Believing possibly that the indignation and fear aroused by Muir and Palmer's trials would persuade the Foxites to change their mind and throw in their lot with the radical reformers, Skirving invited

165. Sheffield Constitutional Society to the Society for Constitutional Information, 1 November 1793. Parl. Hist., XXXI, 832-833. The first part of the letter is a transcription of the Sheffield society's reply to Skirving.

166. Many of the English societies had been badly hit by the loyalist reaction. See A. Goodwin, "The Friends of Liberty", 282. The economic recession of 1793 had wrought further damage. The Sheffield Constitutional Society informed the London Society for Constitutional Information, on 1 November 1793, that "We have many thousand members, but a vast majority of them being working men, the war, which has deprived many of them of all employment; and almost every one of half his earnings we have been crippled more than any other in the kingdom. We have the satisfaction to know that we have done great good, but I fear we must content ourselves with good intentions and wishes in future, as our funds are not only exhausted, but the society is considerably in debt". Parl. Hist., XXXI, 833. The Birmingham Society for Constitutional Information approved of the convention, but regretted "that at present our ability will not allow us to co-operate with you, by sending a delegate ourselves, in consequence of Mr. Pitt's war of humanity having almost utterly annihilated our trade in this town, and driven a great number of our best members and mechanics across the Atlantic". IBID, 834.
the London Friends of the People to send delegates to the October convention. Daniel Stuart, the secretary of the London society, replied that it would be impossible to call a general meeting to elect delegates, but he held out the possibility that some members might attend unofficially, adding "that whatever they did, would certainly be approved by their society". The members Stuart no doubt had in mind were Lord Daer, Col. Macleod, and the Earl of Lauderdale, all of whom were expected to be in Edinburgh during the convention. Lauderdale recalled at Thomas Hardy's trial that shortly after his arrival in Edinburgh in October "Skirving called upon me several times and pressed me to take up this idea of Mr. Stuart's." The Earl however declined both this verbal offer and a written invitation sent by the Pittsburgh Friends of the People on 26 October. He did so, Major Thomas Maitland, his brother, later claimed, because "violent characters from England were about to join the association", but it is probable that he was also influenced by the expected declaration of the convention in favour of universal manhood suffrage, to which he was violently opposed. Lord Daer was delegated by the Pittsburgh society, but he did not arrive in town until after the convention had dispersed, giving rise to radical doubts concerning his political reliability. Whether Col. Macleod was approached is unknown, but in the event neither

171. In a letter dated 12 November 1793 Charles Sinclair noted that "Lord Daer is just come to town". Charles Sinclair to the Society for Constitutional Information, 12 November 1793. JC26/281.
he nor any of the other Foxite worthies attended. One consequence
of this refusal was that the 3rd and, it might be added, the British
Conventions were almost exclusively plebeian radical affairs. William
Scott, having read J.B's. reports on the first day's proceedings of the
October convention, informed Lord Advocate Dundas that, with the
exception of Alexander Callander, "there was not one [delegate] of
decent appearance." 172 The absence of Foxite gentlemen was of little
or no political consequence. That men like Lauderdale and Morthland
would have struck a note of caution and urged moderation is undoubted,
but that they would have won over the majority of delegates is
inconceivable. Their policies had already been tried and, having been
found wanting, rejected. The summer of 1793 had seen the leadership
of the London Friends of the People repudiated and new links forged with
the popular English radical societies. Moreover by October "the
greater part of the societies" 173 had committed themselves to universal
manhood suffrage, a policy unacceptable to the Foxites. Most, if not
all, radical reformers had become convinced that "politically Salvation
is to be looked for from the People only" and that the Friends of the
People should not be "connected with any party". 174 While some
radicals bitterly resented what they conceived to be the "apostacy"
of their former colleagues, others welcomed the break. "I am extremely
happy", wrote James Calder, "that we have, at length, got rid of our
Laodicean friends, vigour and unanimity will now, I expect, attend all
our designs and actions; which will amply compensate for any injury
the revolt may have done us". 175

172. William Scott to the Lord Advocate, 30 October 1793. Chatham
Papers. PRO 30/8/176, ff67-68.
174. [J.S.?] to William Skirving, 26 October 1793. JC26/280.
175. James Calder to William Skirving, 4 September 1793. JC26/280.
Despite the absence of both the English delegates and the Foxites the 3rd Convention was very well attended. While the minutes record that one hundred and fifty three delegates were enrolled on 29 October, it seems likely that the total number attending over the four days of the convention was somewhat higher. What Henry Cockburn accurately described as the "meagre, abrupt, desultory and confused" nature of the minutes makes precise calculations impossible, but the best estimate is that something like one hundred and sixty five delegates attended. This figure is greatly in excess of that for the 2nd Convention and is roughly equal to that for the 1st, but it would be an error to infer that the movement's vitality had been restored to the level of December 1792. The high turn-out at the October convention was largely owing to an exceptionally big contingent of Edinburgh delegates. The percentage of delegates from the Edinburgh societies attending the three conventions rose from roughly 50% in December to 61% in May and 68% in October. More revealing perhaps is the fact that, while approximately eighty "country" delegates attended the 1st Convention only fifty four attended the 3rd. While it is true that mass unemployment had sharply reduced the capacity of plebeian radical societies to send delegates to conventions, it is doubtful whether that can alone account for the striking fall in the number of "country" delegates. It seems clear that the revival of September-October 1793,


177. H. Cockburn, "An Examination of the Trials for Sedition", I, 223. Cockburn added that they "read as if they had been written as jottings amidst the noise and interruptions of each sitting".

178. The delegations to the 3rd Convention are listed in Howell, "State Trials", XXIII, 391-393. The "Additional Delegations" which are appended to this list do not relate to the 3rd but to the British Convention. It might be noted that 'The Edinburgh Gazetteer' of 5 November 1793 reported that the convention had been attended by "betwixt 160 and 170" delegates.
which was reflected in the impressive attendance at the 3rd Convention, fell a long way short of that necessary to restore the Friends of the People to the position of December 1792.

The first day's sitting of the convention was taken up with reading letters from the English societies, "verifying the powers of the Delegates,... and bringing forward the motions to be discussed" on the following days. The second day saw the delegates discuss Alexander Callander's motion in favour of universal manhood suffrage and "annual delegation to parliament". It was agreed that although "the speeches would all be on the same side of the question", the point at issue was of such "great magnitude" as to require that "the members be permitted and even requested to declare their opinion seriatim". There followed a very full discussion lasting more than four hours "in which not only the natural right of all to elect their representatives and governors was clearly illustrated, but also the actual possession of this right, and the right of calling to account, and even cashiering their governors was shown to have been possessed by all freemen in Briton [sic], in the original parliaments of the nation which were denominated Folkemotte". Finally "it was decided without one dissenting voice, that the Universal Right of Suffrage belonged to all the male inhabitants of this country of the age of 21 years, not incapacitated by insanity or crimes, to elect and be elected a Representative of the People; and that Parliaments, annually called, were necessary to our existence as a free and independent nation".

179. It is significant that the number of "country" delegates increased from forty six at the 2nd to fifty four at the 3rd Convention.

180. The Edinburgh Gazetteer, 5 November 1793.


182. IBID.

183. The Edinburgh Gazetteer, 5 November 1793.
Upon the passing of this motion "all present rose, and joining hands congratulated each other on the resolution of so important a point, and that with such entire unanimity". 184 By defining what was meant by "a more equal representation of the people" the Friends of the People were doing something more than declaring publicly the opinions they had long held privately. The vagueness of the formula originally employed by the Whig Friends of the People and subsequently adopted by their Scottish colleagues was designed to attract reformers of all shades of opinion. By declaring for universal suffrage the convention affirmed not only that the Scots radicals had broken with the Whig Friends of the People, 185 but also that they would not compromise on the extent of the reform to be sought in order to win support from the burgh or county reformers. The democrats were still anxious to obtain assistance from all social classes. On 4 October the Edinburgh association of the Friends of the People issued an address calling upon not only the "manufacturer... the unemployed artisan [and] the great mass of labouring and now starving poor" to join the movement, but also the landowner "lest his property be soon left untenanted, [and] the merchant, lest the commerce of the country be annihilated". 186 The difference was that their support was now sought on new and


185. Seeking no doubt to emphasis this breach with the Whig reformers, David Downie, an elderly Edinburgh goldsmith and a delegate from the Bridge Street society, moved "to change the general title of the associations". Virtually nothing is known about the debate which followed, but that opinion within the convention was seriously divided is clear. Skirving, acting in a typically conciliatory manner, moved "for a delay of any change of title till the primary societies should be consulted", but in the end it was resolved that "the convention shall make no alteration in the title of the general association, but leave it to the particular societies, to assume what name they please". Howell, "State Trials", XXIII, 394, 405.

186. The Edinburgh Gazetteer, 8 October 1793.
uncompromisingly radical terms. Instead of pledging to work for "a
more equal representation of the people", members were now required to
subscribe an explicit statement supporting a democratic franchise.
The 3rd Convention resolved, on 31 October, that "each society shall
immediately enter in their minute book, a new declaration containing
the two original resolutions of the association, and the explanation
now given,... and that the members of each already admitted shall
subscribe the same in testimony of his [sic] hearty approbation of them,
and determination to prosecute them". 187

Clearly the Friends of the People believed that a declaration
in favour of universal manhood suffrage would help them to win more
recruits, but they well realised that a massive propaganda campaign
was also necessary to convince the people of the merits of their case.
Essential to that campaign was the continued existence of the 'Edinburgh
Gazetteer', and the convention therefore resolved to recommend to the
Friends of the People "to do all in their power to support that paper
in such manner as Mr. Scott [the editor] may require". 188 The
delegates however recognised that the 'Gazetteer' could not be expected
to carry the whole burden. One of the first motions to be submitted
to the convention was that of William Philip, a schoolmaster and a
delegate from the Calton society, asking that "this convention adopt
some measures for instructing people at large in the nature, principles,
and glorious properties of the British constitution." 189 Nothing
unfortunately is known about the debate which followed, but the outcome
was that a "committee of public instruction" was appointed to select

188. IBID, 412.
189. IBID, 394.
and publish material promoting the democratic cause. \(^{190}\) The appointment of this committee represented a significant change in policy since the 1st Convention, and probably reflected a growing awareness of the need for more effective propaganda. One of the deficiencies of current radical propaganda was the relatively high cost of the publications, \(^{191}\) and it was this which prompted Walter Hart, a Glasgow delegate, to move that the convention recommend the editors of political pamphlets "to print part of them on coarse paper for cheapness." \(^{192}\) Hart pointed out that "Most of the books... conveying political information are printed on fine paper & large type, & are sold at 2d or 3d per sheet, which keeps them out of the reach of them, who may have most need of information, while our adversaries take care to have them... sold at one fourth of the above price." \(^{193}\) Another deficiency of radical propaganda, an increasing number of the Friends of the People believed, was that it did not explain satisfactorily why reform was desirable. The grievances which justified and necessitated radical reform, and the benefits which reform would bring, they argued, had never been adequately spelt out by the Friends of the People and were therefore not properly understood by the public. Seeking to remedy this situation, Alexander Bremner, an Edinburgh wright delegated by the New Town society, moved "that this convention draw up a few leading features of our grievances, such as corporation laws, test acts,

\(^{190}\) IBID, 400.

\(^{191}\) James Brown of the Glasgow association informed Skirving, in a letter dated 24 October 1793, that he had received copies of Palmer's trial, but added that "I will not be able to dispose of them, owing to the high price. A great deal more of them would have been sold, if they could have been afforded a shilling cheaper". JC26/280.

\(^{192}\) Howell, "State Trials", XXIII, 404.

\(^{193}\) Undated motion of Walter Hart found in JC26/280.
patronage, &c, which are all inimical to the natural rights and liberties of man", and declare that if the public would join with the Friends of the People "then we will get these & all other exclusive privilege abolished". However while this proposal won a large measure of support, it also attracted considerable criticism. David Downie and Alexander Aitchison objected to the inclusion of "corporation laws" in the proposed list, while others, fearing that the publication of such a list might antagonise and alienate some potential supporters, opposed the motion in principle. The Rev. James Donaldson of the Dundee Friends of the Constitution urged that the motion be rejected, arguing that it was best "to keep close to the main point and not to interfere with other grievances." Bremner's motion proved so controversial that the convention decided, in effect, to refer it to the individual societies. It was resolved "that the delegates should collect the sense of their constituents upon these matters on which they should address the public, and within a month from this date [ie 31 October] transmit the results to the secretary [who would] lay the same before the general committee in Edinburgh, that from the whole, the persons employed by them might be able to draw up some complete publication".

Consultation with grass-roots opinion revealed that Donaldson's views rather than Bremner's carried majority support, and consequently the address, which was ultimately drawn up by a committee of the British Convention, placed little emphasis on the practical arguments for reform, preferring instead to rest its case on natural and historical right. However, while the Friends of the People fought


196. IBID, 402.

shy of committing themselves to what would have amounted to a party manifesto, they understood and appreciated the advantages to be gained from publicly opposing the immensely unpopular slave trade and the scarcely less unpopular French war. Thus the 3rd Convention "unanimously agreed, to call upon the people of Scotland to unite, as one man, to petition the king against the war", and to "express their unanimous disapprobation of the Slave Trade".

The Friends of the People realised that, no matter how successful their propaganda campaign might be in attracting support for their cause, it would still be no easy matter to persuade Parliament to grant their wishes. While there was nothing new about the fear that the House of Commons might reject even the best supported of reform petitions, the reception accorded their previous petitions in May had reawakened and heightened that fear, and had led to a re-examination of the options open to the movement. In his circular letter of 30 September 1793 calling upon the societies to elect delegates Skirving had stated that "the mode" of "another application for redress of grievances" would be one of the "subjects which will require the most deliberate discussion". No sooner did the convention assemble than it became clear that there was a strong body of opinion within it opposed to further applications to the House of Commons. The first day's sitting saw John Chalmers, a delegate from the Auchterderran (Fife) society, move "to present a petition to his majesty, to fall upon some expedient for obtaining a general convention of the whole

199. IBID, 403.
201. "To the Friends of the People, and of Parliamentary Reform", 30 September 1793. JC26/280.
nation, to consider the grievances of the people", 202 and Skirving read out a paper from the Potterrow (Edinburgh) society "setting forth... the necessity of applying for universal suffrage and annual elections to the King, and not to Parliament." 203 These proposals proved highly controversial. While, for example, John Chalmers "insisted to petition the king, and said that his constituents were determined that they would not again petition the House of Commons", an unknown delegate from Fife "expressed his disapprobation of petitioning the king, and said his constituents would as soon petition the pope". 204 Archibald Wright of the Canongate Friends of the People

202. Howell, "State Trials", XXIII, 397. Chalmers' motion was loosely based upon the resolution of a provincial convention of Fife societies of the Friends of the People on 15 October 1793 to present a "Humble Address" to the king stating the grievances of the nation and proposing, firstly, that the ministry "who have lost the confidence of the Nation" be dismissed, and, secondly, that a new ministry be appointed who would end the "Present Ruinous and destructive war" and listen to the just requests of the people "for a full and free Representation" in the House of Commons. A copy of the Fife provincial convention's resolutions is to be found in JC26/280. Chalmers' motion was later combined with those of James Mitchell of Paisley and John Laing, a delegate from the Cowgate (Edinburgh) society. The composite motion asked that the Friends of the People petition the king to end the war, dismiss the present ministry, "order an equal representation of the People in Parliament and annual elections", and "allow the calling together of a General Convention of the People as through that channel only their grievances can be communicated". This composite motion is also to be found in JC26/280.

203. Howell, "State Trials", XXIII, 397. J.B. reported that "Mr. Skirving read a long paper presented by Mr. Thomas Noble setting forth in his own name and that of his Constituents the necessity of universal suffrage and annual parliaments and pressing a Petition to the King instead of the Parliament". "Proceedings of the Convention at Edinburgh", October 19-November 22, 1793. Home Office Correspondence (Scotland) RH2/4/72, ff162-182. Noble's paper, addressed to "Mr. President" is to be found amongst Skirving's papers in JC26/280. In it he argued that the Friends of the People should not petition the House of Commons "because Properly Speaking we are not their constituents, therefore we are to them as strangers". In support of his argument he quoted Lord Kames who had written that "it is not the Mass of Common people whom they represent but the Common Landholders only, that is to say, those not dignified with Peerage". From the House of Commons, Noble continued, the reformers "cannot hope for redress because if the mass of common people were represented they would somewhat overbalance the landed interest, and possibly raise the land tax". The Friends of the People, he concluded, should instead petition the king, because "we are more closely connected to his Majesty being our sovereign".

attempted to smooth things over by moving "that the different societies should be left to adopt what measures they pleased", but this proposal, however well-intentioned, was highly unsatisfactory and was therefore rejected. No agreement seemed possible until, in a dramatic intervention, the chairman, Alexander Callander, left the chair and "recommended unanimity in a very animated speech". His appeal seems to have had some impact, and the outcome was that the convention resolved, by a great majority, "to petition the House of Commons as the only competent branch of the legislature to be applied to in cases of reform".

The content of this proposed petition was not discussed, but clearly it was intended that it would be somewhat different from its predecessor. Whereas the petitions submitted in May had left it to the House of Commons to decide upon the extent of reform to be granted, future petitions would, in conformity with the resolution of 30 October, specify and demand universal manhood suffrage and annual parliamentary elections. It was not expected that Parliament would respond to the justice of their demands, rather it was hoped that the House of Commons would be compelled to act by the implicit threat posed by a strong, well organised, and united British democratic movement. Only through organisation, unity, and "firmness", it was believed, would the British movement restore its credibility and thus its strength, and undermine the confidence of its enemies. Essential to the whole strategy was a pact or union with the English societies. Gordon Murray, a delegate from the Edinburgh Operative Society, moved that Skirving be instructed

205. IBID, 409.
206. IBID, 409.
207. IBID, 409-410.
"to communicate our sentiments to the societys for Reform in England and to Exhort them to unite together,... as unity and firmness is the only thing... that will ever give our Cause that proper force and weight that is requisite to answer our purpose". 208 There can be no doubt that the 3rd Convention looked forward keenly to the day when the Scottish and English movements would unite. Virtually the last act of the convention before it dispersed on 1 November was to resolve "unanimously" to "express its ardent desire to cultivate a more close union with England". 209

The decision of the 3rd Convention to petition the House of Commons for reform and the king against the war illustrates the determination of the Friends of the People to continue travelling down what they considered to be the constitutional road to reform. It was the government, they feared, which was intent upon acting unconstitutionally. There was nothing novel about such a fear. The Proclamations of May and December 1792, the prosecutions of radical propagandists and publishers, the increase in the size of the standing army since the outbreak of war, and the erection of barracks, 210 had all provoked severe criticism from reformers who saw in each measure evidence of the government's despotic ambitions. However recent developments had considerably heightened radical fears. The Irish Convention Act and

208. Undated motion of Gordon Murray, found in JC26/280.
210. Niel Douglas believed that the growth in the size of the regular army and the erection of barracks "may yet prove the engine of enslaving the Country... and making our Government in future as arbitrary as ever was that of France", while T.F. Palmer informed Skirving on 9 July 1793 that "Dudhope Castle, close by this town [ie Dundee] is going to be converted into a Barracks, to keep down any efforts for our freedom". N. Douglas, "Thoughts on Modern Politics", 191. Howell "State Trials", XXIII, 323.
Muir and Palmer's trials convinced many radicals that the government meant to crush their movement and to annihilate the right of political association, a fundamental right enshrined in the Bill of Rights of 1688. The delegates to the 3rd Convention assembled in some fear that the authorities intended either to disperse them forcibly or to act to prevent them holding similar meetings in future. George Ross, a clerk in the 'Gazetteer' office and a member of the Canongate society, informed the convention on the evening of 29 October "that the soldiers were under arms, and that patroles were abroad in the streets", and moved "that the lord provost and magistrates should be invited to attend our deliberations tomorrow".\(^{211}\) The intention no doubt was to allow the authorities to see that the convention's proceedings were strictly legal and to dissuade them from acting against it. Ross' motion was defeated,\(^ {212}\) but another, proposed by Archibald Wright, asserting that "by the revolution settlement delegates have liberty to meet and consult upon their grievances", was passed unanimously.\(^ {213}\) Clearly the Friends of the People were determined to defend the right of political association, and to resist any attempt to introduce a Convention Act in Britain.

Within days of the convention dispersing, Charles Sinclair of the Society for Constitutional Information, and Maurice Margarot and Joseph Gerrald of the London Corresponding Society had arrived in Edinburgh.\(^ {214}\) Henry Redhead Yorke, Sinclair's intended colleague, had


212. IBID, 404.

213. IBID, 405, 412.

been refused advance payment of his expenses, and had declined to travel. 215 On 6 November the three English delegates attended a meeting of the Edinburgh general committee. Also present were Simon Butler and Archibald Hamilton Rowan who had arrived in Edinburgh on 4 November in order to challenge Lord Advocate Dundas for having, during Muir's trial, referred to them as "wretches" who had fled rather than stand trial. 216 The meeting offered the English delegates and Irish visitors 217 an opportunity to report on the situation in their respective countries and to outline their political ideas. Margarot, on being told that Skirving had "recalled the delegates from the country", expressed a hope that the reconvening of the convention "would strike terror in our enemies", 218 and proceeded to give the Edinburgh radicals a totally misleading assessment of the strength of the English movement. He informed an audience only too willing to believe him that "the societies in London were very numerous" and that "in some parts of England whole towns are reformers". In Sheffield and its neighbourhood, he claimed, there were 50,000 radicals, 219 while in Norwich there were thirty federated reform societies. "If we could get a convention of England and Scotland called", he concluded, "we might represent 6 or 7

216. H.W. Meikle, op cit, 140.
217. Sheriff-depute John Pringle informed the Lord Advocate on 9 November that Butler and Hamilton Rowan, after dining with a party of "20 of the worthy associators", had left Edinburgh to return to Ireland. Home Office Correspondence (Scotland). RH2/4/72, f139.
219. Matthew Campbell Brown, the former actor who served as a delegate from the Sheffield Constitutional Society to the British Convention, claimed to represent "not much under 5,000" members. Howell, "State Trials", XXIII, 446. By 2 December Margarot had moderated his claim. He informed the British Convention that the Sheffield society had "about 13,000" members. IBID, 462.
hundred thousand males, which is a majority of all the adults in the
kingdom, and ministry would not dare to refuse our rights". If.
Margarot's contribution heartened and enthused the Scots, the
information tendered by Simon Butler of the Dublin Society of United
Irishmen heightened their alarm at what government intended. "Citizen
Butler" reported that in Ireland "the executive part of the government
were almost omnipotent", that the prospect of "emancipation" which had
seemed so near in late 1792 had now virtually receded out of sight,
and that as a result of an "infamous coalition... between opposition
and ministry... the government [had] turned their oppressive measures
against the friends of reform". Butler's audience would have
recognised the strikingly close parallel between recent developments in
Ireland and those in Scotland, and it was Butler's contention that that
parallel would be extended further in the 'not too distant future. "In
Scotland", he declared, "they yet met in convention [,but] In Ireland
the parliament had enacted laws against it". That it was government's
intention to extend the provision of that tyrannical act to Britain he
had no doubt. "When", not if, he concluded, "a law like that should
take place here, he was afraid freedom would vanish". Butler's
views were shared by others present at the meeting. Alexander Callander

220. IBID, 414.
221. Charles Sinclair reported to the Society for Constitutional
Information, on 7 November, that "so anxious as they [ie the Scots
radicals] for a union of sentiment & of exertions in the common cause,
with the people of England, ...it will be highly disgraceful and culpable
if a spirit fraught with such evident advantage to the suffering millions
of both countries be permitted to languish without encouragement".
JC26/281.
222. Howell, "State Trials", XXIII, 414. Butler himself had suffered
six months imprisonment.
223. IBID, 415.
stated "that he hoped those that would pass such an act of parliament, should be forced to eat it, and hoped that Scotland and England should not submit to it". Gerrald too suspected that the introduction of a Convention Bill was imminent, and argued that the radicals should act to forestall it. "If our neighbour's house is on fire", he declared, "the greater should be our vigilance to prevent the flame seizing our own". But if their efforts were unavailing, he continued, and a Convention Bill was enacted in Britain, then "we should throw it in the face of our oppressors". By the end of the meeting the leaders of the Edinburgh association would have been left in no doubt either of the determination of the English delegates to resist any unconstitutional action of government, or of the value of uniting with a movement which had such apparently massive support.

Skirving wasted no time in recalling the delegates. On 7 November he wrote to the different societies informing them that the London delegates had "at length" arrived, and that delegates from "other Societies in England" were "now upon the road". Stressing that "Every Moment is precious, and delay synonymous to treachery", he requested that their delegates be in Edinburgh by 19 November in order "to


226. The intemperate language of Margarot and Gerrald, and possibly also Callander's proposed Covenant with its association of armed rebellion against the Government, was not to the liking of all present. John Buchanan "saw nothing we had to do but to petition Parliament and to instruct the people at large with regard to the principles of the Constitution. All violent measures he reprobated... The people at large required instruction and they ought to have it, for [a] majority both in England and Scotland, were equally ignorant of the Constitution and of their Rights as Britons". J.B. to William Scott, 7 November 1793. Loc cit.
establish an Indissoluble Fraternity between the two nations, and to adopt those Measures which, at this awful period, may have a tendency to save the Country".  

This letter drew an excellent response. Despite the perilous financial plight of many societies, and despite the fact that expenses had just been paid out to delegates returning from the 3rd Convention, only six of the societies represented at the October convention failed to answer Skirving's call. Even more significant is the fact that as many as seventeen Scottish societies which had not been represented at the 3rd, sent delegations to the British Convention. This increased level of representation was owing

227. W. Skirving to the Delegates to the General Convention, 7 November 1793. JC26/280.

228. The six societies in question were Auchterderran, the Dundee Friends of the Constitution, Gorbals, Kirkintilloch, Lennoxtown of Campsie, and Newton St. Boswells. Of these societies only the Dundee Friends of the Constitution are known to have opposed the aims of the British Convention. They wrote to Skirving on 16 November 1793 stating that "calling the Convention together, so soon after their late meeting, may not be attended with the same beneficial effects... Their late meeting has been publicly represented as seditious, and however clear it may stand of that charge, yet re-assembling so soon may be deemed a daring insult to those in power, and as such resented, to the prejudice of the cause in which we are embarked. It is possible, according to the Common Proverb, to make more haste than good speed". Dundee Constitutional Society to W. Skirving, 16 November 1793. JC26/280. The text of this letter is published in N. Douglas' "Britain's Guilt, Danger, and Duty; Several Sermons, preached at Anderston, near Glasgow; Aug. 23, 1795. With large notes, and an appendix". (Dundee, 1795), 208-209. Another letter from the Dundee Friends of the Constitution is even more explicit about why they declined to send delegates. "We think", they wrote, "forming a Fraternity between the two Nations and adopting measures for saving the country are Acts that can be lawfully done by the Government of the Country only, and by no others; and we are afraid that the Convention may be accused of taking the reins of Government into its own hands". Mr. [Bell, Sen?] to Alexander Bell, 14 November 1793. JC26/280. The letter was addressed to Bell because it was feared that Skirving's mail was opened at the Post Office.

229. The seventeen societies were Broughton, Darvel, Eddleston, Fenwick, Kilmarns, the Glasgow United Scotsmen, Mid Calder, Miltown of Campsie, Musselburgh, Montrose, Selkirk, Shotts, Stirling, Whitburn, Forfar, and Tradestown of Glasgow. It should be noted that both the Broughton Society of the Friends of the People and the Glasgow Society of United Scotsmen were formed subsequent to the 3rd Convention.
to the enormous expectations aroused by the news that the three London delegates had arrived in Edinburgh and that other delegates from 'provincial' English societies were soon to follow. The union between the Scottish and English movements which was expected both to provide an effective bulwark against 'despotism' and to ensure that future petitions would be better attended to by the House of Commons was now, at last, in sight. The excitement generated by this prospect was immense. On 9 November an unusually crowded meeting of the Paisley Friends of Reform heard, from James Mitchell, one of their delegates to the October convention, that "We have... seen pretended unions taken place between the aristocracy of nations, by whom the passive people have been clashed together like two herds of cattle; but this generous, this noble transaction, is to be done freely and voluntarily by an enlightened, a determined people, who have discovered their rights, and are resolved to possess them". It was essential, all the speakers at this meeting agreed, that delegates be sent to an event of such historical and political importance. The renewed optimism of the Scottish radicals was evidenced not only by the enthusiasm with which societies delegated their representatives and by the exceptionally large attendances at radical meetings, but also by the formation of new societies. On 14 November William Skirving reported, at a meeting of the Edinburgh general committee, that "New Societies were erecting in different parts of the Country, particularly at Culross, Lauder & other places in Berwickshire", and that plans were being drawn up to establish a new society at Leith. The next day a meeting was held in the

230. The Edinburgh Gazetteer, 19 November 1793. The meeting was attended by between two and three hundred people.

village of Broughton on the outskirts of Edinburgh to inaugurate a new society of the Friends of the People, and to elect delegates to the convention.\textsuperscript{232} The authorities, who were provided with detailed reports on the proceedings at Broughton and elsewhere by the ever faithful and accurate J.B., began to show some alarm at these developments, and on 16 November William Scott, the Procurator Fiscal of Edinburgh, wrote to Lord Advocate Dundas stating that "it appears in my humble apprehension a measure of importance to the peace of this country to put a stop to all these associations & in particular Conventions".\textsuperscript{233} The government's principal law officers shared Scott's concern and, although they were as yet not prepared to move against the radicals, they kept a close watch on the British Convention.\textsuperscript{234}

The one hundred and sixty nine delegates who assembled in Edinburgh on 19 November\textsuperscript{235} wasted no time in getting down to their main business. One of the first motions to come before the convention was "that a committee be forthwith appointed to consider the means, and

\textsuperscript{232} J.B. to William Scott, 16 November 1793. Home Office Correspondence (Scotland). RH2/4/72, ff196-197. The new society had eighteen or nineteen members.


\textsuperscript{234} Lord Advocate Dundas wrote to Henry Dundas on 30 November stating that "This meeting [ie Convention] still goes on; & systematically. The Solicitor [General] & I attend to their proceedings, & I hope they will not break up their Meeting without doing something which will entitle us to interfere". NLS. Melville Papers MS6, f94.

\textsuperscript{235} Howell, "State Trials", XXIII, 420-421. Within days some of the "country" delegates had run out of money and were forced to leave the convention. On 22 November Skirving moved "that delegates from the country, who may run short of money by the prolongation of the business of the convention shall be supplied by the treasurer", and a collection was organised which raised the grand sum of £1.10/-.. IBID, 426. The financial resources of the convention proved totally inadequate to the task in hand, and by 25 November there were only ninety eight delegates in Edinburgh. IBID, 429. There were only seventy five delegates present by 2 December. IBID, 439-440.
draw up the outlines of a plan of general union and corporation
between the two nations in their constitutional pursuit, of a thorough
parliamentary reform". 236 This motion, which was moved by Margarot and
seconded by Gerrald, 237 was passed immediately and unanimously, but
the necessity of drawing up rules for "the internal government of the
convention" 238 caused the election of the Committee of Union, as it was
called, to be postponed until 21 November. A thirteen-man Committee of
Union having been elected, 239 the convention debated the whole issue of
Anglo-Scottish radical unity at some length. This debate adds nothing
to our understanding of the motives of both Scottish and English radicals
in forming what Professor Goodwin has happily termed a "'popular front'', 240
but it does reveal that the delegates regarded their convention as an
assembly of the representatives of the various radical reform societies
in Britain, and not as a sovereign convention of the people on the
Paineite model. Many of the speakers, while tending to refer to the
proposed union as one between "the people" rather than the democrats

236. IBID, 417. J.B. noted that "Some of the Commissions particularly
those from London and Glasgow were accompanied with long letters
recommending a General Union between the two nations of Scotland and
Correspondence (Scotland). RH2/4/73, ff200-204.


238. The committee charged with drawing up these rules submitted its
report on 20 November. That report had a direct bearing upon the method
chosen of electing committees. Howell, "State Trials", XXIII, 418-420,
443-445.

239. The committee comprised Maurice Margarot, Joseph Gerrald, Charles
Sinclair, Lord Dair from Wigton, Alexander Callander from Canongate,
John Clark from Potterrow, Robert Sands from Perth, George Mealmaker
from the Dundee Friends of Liberty, John Gartley from Glasgow, Alexander
Scott from Bridge Street, Walter Hart from Glasgow, Archibald Hastie
from Paisley, and Matthew Campbell Brown from Sheffield. IBID, 422.
The Sheffield Constitutional Society, reversing its earlier decision not
to send a representative, elected Brown on 13 November. A. Goodwin,
"The Friends of Liberty", 293.

240. A. Goodwin, op cit, 298.
"of two countries", 241 tacitly acknowledged that the present convention had only limited objectives and powers, by addressing themselves to the question of where the next convention should be held. Matthew Campbell Brown, the delegate of the Sheffield Constitutional Society, hinted that a future convention should meet in England; 242 Archibald Hastie from Paisley advocated that it should be held "on the borders of England and Scotland", 243 and Joseph Gerrald suggested York as a possible venue. 244 Gerrald, an orator of some considerable power, who delighted in exercising his talent to the full, harangued the delegates with a long speech in which he stressed the importance of political education. "Let us then endeavour to instruct the people in their rights", he declared, "and... they will come and sign our petitions". Only when the victims of "priestcraft" and "political superstition" were enlightened by the educational efforts of the radical reformers, would the people, he argued, "speak in language too reasonable to be confuted, and too peremptory to be refused." 245 Clearly, the British Convention believed that the attainment of their objective was as yet some way off. That in time a convention might come to represent the nation, or at least a majority thereof, was their fond hope and expectation, but in the meantime all that the British Convention claimed was to represent "the interest" and to express the will of "thousands of our fellow citizens". 246

241. Alexander Callander, for example, referred to "the free and voluntary union of the people of two countries to recover their common rights". Howell, "State Trials", XXIII, 447.

242. IBID, 446.

243. IBID, 447.

244. IBID, 450.

245. IBID, 448-450.

On 23 November "the great question about the Union of the People of the two nations was discussed, spoken upon, and agreed to without a dissenting voice".\(^\text{247}\) A symbolic gesture of unity was thought appropriate, and upon the motion of Alexander Scott the delegates rose up and shook hands "as a proof of the union betwixt England and Scotland".\(^\text{248}\) In this euphoric mood the convention was but too willing to agree to an ill-conceived motion, proposed by Charles Sinclair, "that henceforth the convention should be styled the British Convention of the Delegates of the People, Associated to obtain Universal Suffrage, and Annual Parliaments".\(^\text{249}\) The choice of words was unfortunate for it implied that the delegates considered themselves to be the representatives of the nation, and therefore suggested that the convention meant to challenge the sovereignty of parliament, whereas all that was intended was an affirmation of Anglo-Scottish radical solidarity in the struggle for democratic reform. Sinclair also proposed that radical solidarity be extended across the Irish Sea, moving that "the British Convention, .. taking into consideration the oppressed state of their brethren in Ireland, and the unconstitutional Act of the last session of their Parliament, called the Convention Act, ... Resolve that all or any of the Patriotic members of the Society of United Irishmen shall be admitted to speak and vote in this Convention".\(^\text{250}\) This motion, having been referred to the "sections" for consideration, was passed on Monday 25 November,\(^\text{251}\) and "guarenteed by a solemn joining of hands".\(^\text{252}\) The


\(^{248}\) Howell, "State Trials", XXIII, 426-427.

\(^{249}\) IBID, 427, 452.


\(^{251}\) The convention did not meet on 24 November, being a Sunday.

\(^{252}\) Howell "State Trials", XXIII, 428.
radicals, as we have seen, had been worried for some time that the operation of this "unconstitutional act" might be extended to Britain, and Alexander Callander now moved "That in case the Minister, or any other member bring into the House of Commons a motion for a Convention Bill, as passed in Ireland, for preventing the people from meeting according to their just rights by the Revolution, the same motion shall be noticed to the delegates of the respective societies immediately to meet in convention to assert their rights". The next day, 26 November, saw Callander's motion debated. Margarot, while he approved of the spirit of the motion, stating that "the event to which it alludes ought to be the Tocsin to the friends of liberty to assemble", argued that it was imperfect as it specified neither the place nor the time of the meeting. He supported Sinclair's proposal that an interim committee be elected with the power to recall the convention in "a number of cases equally dangerous to liberty, as a Convention Bill". This proposal was in turn attacked by Matthew Campbell Brown, who argued that the "interim committee... can never call the delegates together but by letter, and those letters can never be certain of arriving; for our enemies are numerous and powerful, and it may be supposed, that they would not hesitate on such an occasion, to open all letters at the post office, and stop those of the committee, for the purpose of preventing the meeting of the convention". The debate, which "continued all the


254. Howell, "State Trials", XXIII, 454. Sinclair had moved "that an interim Committee be appointed at the end of every Convention to call together the Delegates on extraordinary emergencies - such as, in case of ministry passing a Convention Bill - a French Invasion, or the like". J.B. to William Scott, "Tuesday Morning". Loc cit.

evening" and attracted contributions from "the greater part of the members", proved inconclusive, and was adjourned till the following day. 256 Discussion having been resumed, various amendments were proposed by David Downie, Charles Sinclair, Alexander Bremner, and John Gartley, but the decisive intervention came from Margarot who moved that "a committee consisting of the mover, seconder, and those who have moved for amendments of Mr. Callender's motion be appointed to draw up a motion from the whole that may probably meet the ideas of the whole convention". 257 Margarot's conciliatory proposal won acceptance, as did the committee's composite motion, which was submitted to the convention on 28 November. 258 The new motion stated

"That this convention considering the calamitous consequences of any act of the legislature, which may tend to deprive the whole or any part of the people of their undoubted right to meet, either by themselves, or by delegation, to discuss any matter relative to their common interest, whether of a public or private nature; and holding the same to be totally inconsistent with the first principles and safety of society, and also subversive of our known and acknowledged constitutional liberties, do hereby declare... that we shall follow the wholesome example of former times, by paying no regard to any act which shall militate against the constitution of our country, and shall continue to assemble and consider of the best means by which we can accomplish a real representation of the people and annual

256. IBID, 455.
257. IBID, 431-432.
258. IBID, 433.
And we do resolve, That the first notice given for the introduction of a convention bill, or any bill of a similar tendency, to that passed in Ireland in the last session of parliament; or any bill for the suspension of the Habeas Corpus act, or the act for preventing wrongous imprisonment, and against undue delays in trials in North Britain; or in case of an invasion; or the admission of any foreign troops whatsoever into Great Britain or Ireland - all or any of these calamitous circumstances shall be a signal to the different delegates, to repair to such place as the secret committee of this convention shall appoint, and the first seven members shall have power to declare the sittings permanent, and twenty one shall constitute a convention, and proceed to business. The convention doth therefore resolve, that each delegate immediately upon his return home do convene his constituents, and explain to them the necessity of electing a delegate or delegates, and of establishing a fund without delay against any of these emergencies for his or their expense, and that they do instruct the said delegate or delegates to hold themselves ready, to depart at one hour's warning. 259

Upon Margarot's motion, a secret committee, comprising William Skirving, in his capacity as secretary, John Clark, Matthew Campbell Brown, and Margarot himself, was appointed "to determine the place where such a convention of emergency shall meet". 260 In order that the problems

259. IBID, 611-612.
260. IBID, 433-434.
outlined earlier by Brown might be circumvented, it was agreed that, at the adjournment of the present convention, each delegate was to be given a sealed letter intimating where the proposed convention was to be held. This letter was to be delivered unopened to the delegating society, which was to acknowledge its receipt in a letter to Skirving. The committee's letter was to remain unopened "until the period shall arrive at which it shall be deemed necessary for the delegate to set off." 261

Although the text of the motion relating to the "convention of emergency" was not recorded in the official minutes published in the 'Edinburgh Gazetteer', even the most casual reader of that newspaper would have been left in no doubt of its gist. Its omission was therefore not to be explained by any wish for secrecy, but rather by the convention's decision, which was doubtless inspired by a desire for dramatic impact, that it should "stand the last article in the record of the proceedings". 262 That it was the British Convention's intention to publicise this controversial resolution was implicit in Gerrald's statement that he hoped "the measure which has passed this night, will convince the minister, that we are determined to guard against every attempt that may be made to deprive us of our rights". 263 Indeed Gerrald's comments suggest that the convention's purpose in passing this resolution was not only to prepare contingency plans to resist 'despotic' legislation, but also to dissuade parliament from passing, or even discussing, such legislation. The Convention Act, Gerrald declared, "was first passed in Ireland to feel the pulse of

261. IBID, 433-434.
262. The Edinburgh Gazetteer, 3 December 1793.
the people of Britain, that our rulers might know if it beat high with indignation, or if the blood run coldly in our veins, and we are willing to bow our necks to the yoke and suffer in peace and in silence.\textsuperscript{264}

By demonstrating their resolve the radicals might yet prevent the establishment of a despotism rivalling that of Turkey. There was however no element of bluff in the convention's proceedings. Callander spoke openly of "the duty of resistance by force of arms, when Ministers go beyond the Constitution",\textsuperscript{265} while Gerrald declared that, if a British Convention Act was passed, "we would seek to appeal to that last terrible decision; the event of which is uncertain, but which God and nature allows".\textsuperscript{266}

The "calm countenances" and "solemn manner" of the delegates, Gerrald stated, convinced him that the motion in question "would not only be a resolution of words, but a rule of action".\textsuperscript{267}

While there can be no doubt of the democrats' determination to resist 'tyranny', their inability to implement the implicitly threatened insurrection is clear. The democrats had neither a military organisation nor weapons. Moreover the army was loyal and was likely to remain so. In the circumstances it was almost inconceivable that the tens of thousands of dedicated democrats boasted of by Margarot could have been persuaded to rise en masse in a hopeless and therefore suicidal insurrection. Like much else at the British Convention, talk of an appeal to arms was mere posturing. The Friends of the People had been guilty almost from the beginning of striking attitudes and indulging themselves in histrionic behaviour, but nowhere were those

\textsuperscript{264} IBID, 457.


\textsuperscript{266} Howell, "State Trials", XXIII, 457.

\textsuperscript{267} IBID, 457-458.
vices more apparent and culpable than at the British Convention, where the delegates displayed an irresponsible fondness for imitating French forms and styles. Delegates addressed each other as 
"citizen",\textsuperscript{268} met in "sections",\textsuperscript{269} granted "honours of the sitting",\textsuperscript{270} made "honourable mention" of "patriotic donations",\textsuperscript{271} talked of "primary" societies,\textsuperscript{272} and declared, in their minutes, that this was "The 1st Year of the British Convention".\textsuperscript{273} Moreover some sections decorated their reports with such sinister-sounding phrases as "Vive la Convention" and "Ça ira, Ça ira".\textsuperscript{274} The third section, for example, dated their report of 3 December "1st year of the British Convention, one & indivisible", and appended to it the expression "Ça ira, Ça ira".\textsuperscript{275} Some of these indiscretions were, as Skirving explained later in court, the product of "the wit and humour of a very few individuals",\textsuperscript{276} and, being intended only for the eyes of fellow delegates, were venial, but many were authorised by the convention and were therefore highly blameable. The "very unnecessary and imprudent" use of French styles,

\textsuperscript{268} Declaration of Alexander Callander, 5 December 1793. JC26/281.

\textsuperscript{269} For example, the minutes record that on 25 November "Reports [were received] from every section, except No. 11". Howell, "State Trials", XXIII, 426.

\textsuperscript{270} Captain William Johnston was awarded the "honours of the sitting" on 30 November. IBID, 437.

\textsuperscript{271} IBID, 461-462.

\textsuperscript{272} IBID, 438.

\textsuperscript{273} IBID, 434.

\textsuperscript{274} See the undated report of the second section in JC26/280.

\textsuperscript{275} Report of the third section, 3 December 1793. JC26/280.

\textsuperscript{276} Howell, "State Trials", XXIII, 579.
a Campsie "Reformer" commented, "has given a handle (and not without a plausible pretext) to the Crown Lawyers, to suspect that the French idiom was the certain prelude to French principles". He added that "it has laid a stigma on the name and annexed a degree of criminality in the eyes of many, to the proceedings of that Convention, which will not be easily wiped off".277

The authorities were, it appears, not prepared to move against the convention solely on the strength of J.B.'s intelligence reports, and it was only when their accuracy was confirmed by the 3 December edition of the 'Edinburgh Gazetteer', which published the official minutes of the convention's proceedings from 25 November to 2 December inclusive, that Lord Advocate Dundas and Solicitor-General Blair "agreed to take notice of them".278 Rumours of impending action against them quickly reached the convention, and, on the evening of 4 December, Margarot, having warned that "there are many men who are anxious to disperse us by force", moved that "the moment of the illegal dispersion of the present convention, be considered as our summons to repair to the place of meeting appointed for the convention of emergency by the secret committee".279 Special leave having been given to enable the motion to be discussed that evening, it was passed unanimously, and the committee of secrecy ordered to fix a place of meeting.280

The next morning Skirving, Margarot, Gerrald, Callander, Scott, and

277. The Glasgow Advertiser and Evening Intelligencer, 31 March 1794.

278. Lord Advocate Dundas wrote to Home Secretary Dundas on 6 December 1793 stating that "Last Tuesday's Gazetteer containing a farther account of the proceedings of the Convention, appeared to the Solicitor & me so strong, that we agreed to take notice of them". Home Office Correspondence (Scotland). RH2/4/73, ff250-253.


280 IBID, 442.
Scott's two clerks, the brothers William and George Ross, were all arrested and their papers seized. Skirving, who had been released after interrogation, had no sooner informed the assembled delegates of this development than Lord Provost Elder, accompanied by the magistrates and "about 30 constables", burst in and ordered the chairman to disperse the meeting. The legality of the convention's proceedings was defended by various of its leading members and in particular by Matthew C. Brown who, having taken the chair, refused to dissolve the meeting "until compelled by force". The Lord Provost having led Brown from the chair, the convention adjourned to a lodge in Canongate where it declared its meetings "permanent" and appointed a committee to report "on the means to be adopted for making a spirited resentment of the illegal proceedings of this day... together with a solemn appeal to the public". This committee had no opportunity to submit its report, for, on the following evening, while Gerrald was relating the story of his arrest and examination, Henry Davidson, the Sheriff-Substitute of Midlothian, accompanied by a force of magistrates and constables, came in and ordered the convention to disperse. Not for the first time Gerrald and Margarot took the lead, protesting both the legality of their proceedings and the illegality of Davidson's actions, with Margarot, who was acting as chairman, insisting "that some mark of force should be shown before he left the chair". Margarot having been led from the chair, Gerrald closed the meeting with a prayer, and the British Convention dispersed never to meet again.

281. The Edinburgh Gazetteer, 10 December 1793.
284. IBID, 469-471.
The forced dissolution of the British Convention elicited a predictable response from conservatives. The editor of the 'Caledonian Mercury', for example, having opined that from the proceedings of the convention "it would appear that enthusiasm or madness had entirely usurped the place of reason", congratulated the magistrates for dispersing it "before the guillotine was decreed permanent". His congratulations were seconded by a host of organisations representative of 'middle-class' opinion in Edinburgh. Between 9 and 11 December 1793 the Trades Convenery of Canongate, Royal College of Surgeons, Merchant Company, United Trades Incorporations of St. Mary's Chapel, and the Incorporations of Fleshers, Bakers, Tailors, Websters, Shoemakers, Goldsmiths, Hammermen, Bonnetmakers and Dyers, Waukers and Hatmakers, and Skinners and Furriers, met and resolved to thank the authorities for suppressing the British Convention. Such meetings were not restricted to Edinburgh. On 17 December, for example, a meeting of "a respectable body of the inhabitants" of Paisley met under the auspices of the town's magistrates to condemn the British Convention. The advocacy of universal suffrage, they resolved, was, "in the present circumstances of the nation, a measure of the most dangerous tendency; calculated to render the lower ranks of the community discontented with their situation; lessening their reverence for the Laws and the Constitution of their country, and preparing them for any seditious practices which factious and designing men may propose". They resolved, moreover, "That the form which the pretended Convention have given to their proceedings, and the language employed by them, are at once highly offensive and truly alarming; being evidently

285. The Caledonian Mercury, 7 December 1793.
286. The Caledonian Mercury, 12 December 1793.
adopted from those of the French National Convention, and strongly
marking their approbation of the plans, pursued by those wicked men,
now the first objects of execration to Europe; while the means proposed
by them to elude and counteract the acts of the Legislature itself,
betray their contempt of lawful authority, and their readiness to
precipitate the country into anarchy and confusion". 287 A similar
line of argument was pursued by loyalist pamphleteers and essayists.
"An Old Correspondent" of the 'Dundee Repository' argued that with
the advent of the British Convention the democrats had "at last laid
aside the mask" of reform. "We have seen", he wrote, "an assembly in
the metropolis of Scotland, borrowing its name, its inflated jargon,
its sanguinary measures, from the records of Gallic anarchy, and ready
to erect the standard of revolt in the fields of happy Britain". 288
His views were echoed by "Charlie Clod", a plebeian conservative
caracter in one of the Goldsmiths' Hall Association's pamphlets, who
attempted to enlighten "Harry Heeltap", a radical weaver, as to the
true nature of the British Convention. The delegates, "Clod" explained,
"set to work upo' the plan of the French Convention; they had their
Sections an' their Departments, an' their Committees of Organization,
an' aw the outlandish gibberish that they had learned i' their
correspondence wi' the bloody legislature o' France". The Friends of
the People, he continued, had begun "wi' Reform", but had ended up at
the British Convention proposing "downright Revolution", and planning
to pull down the "hale fabric, Kirk an' State" in order to replace it
with a system of "Murder, Robbery, an' Atheism" borrowed from France. 289

287. The Caledonian Mercury, 26 December 1793.

288. The Dundee Repository, of Political and Miscellaneous Information,
13 December 1793. II, 294.

289. "Look Before Ye Loup. Part Second; or Anither Box of Healin' Sa'
for the Crackit Crowns of Country Politicians, by Tam Thrum, an Auld
Weaver". (Edinburgh, 1794), 7.
Less patronising in style, but similar in substance, were the published resolutions of a number of the Presbyteries of the Church of Scotland. The Presbytery of Perth, for example, met on 25 December 1793, and declared that they had "observed with astonishment that the abolition of the Lord's Day, and other public acts [of the French], indicating not only a national apostacy from the Christian faith, but even a renunciation of that desire and hope of immortality which had hitherto distinguished the rational creation of God, have rather appeared to strengthen, in the minds of some among us, a disposition to admire and imitate that impious and deluded people". They added that they had "beheld with grief, and not without indignation, the late proceedings of a few daring and desperate men, who, under the name of a British Convention, have affected to imitate the conduct of that diabolical Convention in a neighbouring country".290

While the irresponsible behaviour of the British Convention rendered the old charge of 'Jacobinism' more plausible than heretofore,

290. The Glasgow Courier, 31 December 1793. See also the resolution of the Presbytery of Dalkeith which was published in 'The Caledonian Mercury', 19 December 1793, and which attempted similarly to tar the Friends of the People with 'Jacobinism' and atheism. The accusation of atheism, loyalist clergy believed, could prove to be peculiarly effective. The Rev. James Lapslie of Campsie parish wrote to Lord Advocate Dundas on 6 December 1793 stating - "You know the tendency of the people's minds in Scotland (especially of what may be stiled the commonality) is to be religious. Anything therefore which shocks their opinions on that subject, they view with horror. The late attempts therefore in France against christianity in general - particularly against the Sabbath have raised some demur in the minds of the Jacobins themselves in this Country". Lapslie advocated, as an act of "political wisdom", a national fast day which would direct public disapproval not only at the French revolutionaries, but also at the Scottish radicals as well. Home Office Correspondence (Scotland). RH2/4/73, ff258-273. The national fast day, appointed by the king for 27 February 1794, saw the loyalist clergy range their spiritual artillery against the twin targets of the French Revolution and the British democrats. For contemporary accounts of the sermons delivered on that day see 'The Caledonian Mercury', 1 March 1794; 'The Edinburgh Evening Courant', 1 March 1794; 'The Glasgow Courier', 1 March 1794; and 'The Scots Magazine', LVI, 115-116, 136.
it does not appear that the 'lower orders' shared their social superiors' detestation of its proceedings. The British Convention attracted no hostile crowds of plebeian demonstrators, and there is no evidence to substantiate Sir Henry Craik's assertion that its conduct so outraged popular sensibilities that Tory mobs might have taken the law into their own hands had not the authorities acted when they did.\(^{291}\)

On the other hand, however, it must be noted that the repressive actions of the authorities failed to evoke much protest from the hoi polloi. When Sheriff-substitute Davidson dispersed the convention on 6 December "various reflections" were cast "on the proceedings... from the crowd without doors",\(^{292}\) but these "reflections" were not followed by any disturbances. Similarly, when Skirving attempted to hold a meeting of the Edinburgh general committee on 12 December, the "vast crowd", which had gathered outside the intended meeting place, looked on in silence as both Skirving and Matthew C. Brown were arrested and led away to the Council Chamber.\(^{293}\) The absence of disorder was interpreted by some as an indication of public approval of the authorities' actions,\(^{294}\) but, while the extent of popular support for the Friends of the People should not be overestimated, it seems that other explanations carry more credibility. In the first place, the Friends of the People never

\(^{291}\) Sir H. Craik. "A Century of Scottish History from the days before the '45 to those within living memory". (Edinburgh and London 1901), II, 156.

\(^{292}\) M. Margarot to the London Corresponding Society, 8 December 1793. Printed in Howell, "State Trials", XXIV, 432-434.

\(^{293}\) The Caledonian Mercury, 12 December 1793.

\(^{294}\) 'The Glasgow Advertiser' commented that "It must afford high satisfaction to the Lord Provost, Magistrates, and Sheriff, to find their conduct in this disagreeable business so cordially approved of by their fellow citizens". 'The Glasgow Advertiser, and Evening Intelligencer', 9-13 December 1793.
encouraged the populace to riot. When the British Convention was
dissolved, the delegates departed quietly and no attempt was made to
harangue the crowd 'out-of-doors'. Secondly, and more importantly,
the democrats actively sought to prevent tumult, doubtless on the
grounds that disturbances would only encourage further repression.
When Skirving saw "the people gathering fast" before the Cockpit,
where the meeting of the Edinburgh general committee was due to take
place on 12 December, he "made haste, for fear of tumult... to read,
first, the declaration of the magistrates" prohibiting the proposed
meeting and then his own paper "adjourning" the meeting.295 Thirdly,
even if some individuals had been tempted to resort to traditional
methods of popular protest, the presence of constables in the streets
and the army garrison in the castle would have acted as a strong
deterrent. The King's Birthday Riot had taught the Edinburgh 'mob'
that the authorities were fully prepared to use military force to
restore public order, while the savage sentence imposed upon Alexander
Lockie, one of the King's Birthday rioters, had left them in no doubt
as to the seriousness with which the courts viewed political riots.296

While anxious to avoid tumult, the democrats sought to rally
the populace behind them in their struggle with the authorities. In the
weeks following on the dispersal of the convention various societies
of the Friends of the People published resolutions defending its
proceedings, condemning its dispersal, warning of the threat to liberty


296. Lockie was sentenced to fourteen years transportation, the jury
having returned a verdict finding it proven that he "was seen in the
Mob libelled and that he threw one Stone towards the soldiers". SRO.
Books of Adjournal. Series D. JC3/46, 16-17 July 1792. It should be
noted however that the sentence was not carried out. On 6 February
1793 Lockie, who was incarcerated in the Edinburgh Tolbooth prison
awaiting transportation, was granted a remission and set at liberty.
IBID, 6 February 1793.
posed by the actions of the authorities, and vowing to continue their activities. On 16 December, for example, the Stirling Friends of the People, having "unanimously agreed to adhere to our former principles, from the fullest conviction that Reform becomes every day more and more necessary", resolved "that every attempt to prevent the People from assembling for the purpose of obtaining so desireable an end, is a grievous infringement of the natural Rights of Man, and a gross violation of the original principles of the constitution".²⁹⁷ These sentiments were echoed at a meeting of the Paisley Friends of Reform on 4 January 1794, which resolved "that every attempt to suppress or overawe public discussion, whether religious or political, is at once arbitrary, oppressive and unjust". As the "ruin or salvation of our country depends on our endeavours", the Paisley reformers declared, let us assert our right, which "is sealed with the blood of our brave forefathers", to "continue to Meet, Associate, and Deliberate".²⁹⁸

These brave and determined resolutions were passed against a background of increased repression. In at least some parts of the country, the authorities appear to have taken the dispersal of the British Convention as a signal to move against the Friends of the People. For example, when a handbill appeared calling upon the Paisley "Friends of Liberty and Reform" to meet in Falconer's Land at 5pm on 4 January, the magistrates arrested its author, Alexander Wilson, the radical weaver poet,²⁹⁹ and took swift action to prevent the intended meeting taking place. A party of messengers and constables was sent to Falconer's Land with orders to stop the three hundred or so radicals who

²⁹⁷. The Edinburgh Gazetteer, 17 December 1793.

²⁹⁸. The Edinburgh Gazetteer, 7 January 1794.

were assembling from entering. Unable to obtain access, the radicals hastily appointed a committee to draw up their resolutions, and then dispersed. 300 Elsewhere too in the west country the Friends of the People found themselves subjected to official harassment. Alexander Mitchell of the Strathaven society, writing on 19 April 1794, reported that "the cause" was "much suppressed here by prosecutions, which we are subject to from the petty sheriffs in our neighbourhood". 301 Evidence is scanty, but it appears that the experience of the Strathaven democrats was not untypical. Most is known about the situation in Edinburgh where repression, and the fear that it produced, virtually destroyed the reform movement. On 7 December 1793 the magistrates of Edinburgh issued a proclamation threatening that those attending any future meetings of the British Convention and those leasing them accommodation would be prosecuted. 302 This proclamation was widely interpreted to include, it seems, any delegate meeting of the Friends of the People. When Skirving placed an advertisement in the 10 December edition of the 'Edinburgh Gazetteer' calling a meeting of the Edinburgh general committee for 12 December, he was brought before the magistrates and informed that the meeting was illegal. Anticipating that Skirving would ignore this warning, the magistrates sent a party

300. The Edinburgh Gazetteer, 7 January 1794. One of the resolutions adopted by this committee stated - "Our friends are the friends of Justice and Humanity. Our enemies are the Foes of the Poor and the Oppressed. In whatever situation of life they may appear; whether as self-elected Magistrates, or imperious Manufacturers, sycophant Placemen, or canting Ecclesiastics, they are all the tools of corrupted Power, and worthy our Pity; the sharers of the general booty and deserving our contempt. They exclaim against the associating together; because, say they, 'It will make them discontented with their state'. This we know to be no new maxim, but especially known and adopted by the Planters of the Indies, the Priests of Rome, as by the Magistrates of Paisley".


of peace officers to the Cock-pit, where the intended meeting was to take place, with orders to prevent the delegates from entering. 303

The immediate outcome, as we have seen, was that the general committee were indeed prevented from meeting, but the long-term consequences of the magistrates' action were more important. Fearful of attempting to meet openly, the general committee, or, as it soon became, "The Committee of Union", met in secret. A similar story may be told with respect to the individual Edinburgh societies. It is not known whether the authorities actively intervened to prevent these societies from meeting, but it seems clear that the proprietors of "houses, halls, or other places" took alarm at the proclamation of 7 December and cancelled the Friends of the People's leases, leaving them without accommodation. On 17 December the Canongate No.1 & 2 society "attempted a meeting to the number of about 14, but could get no access, and therefore dispersed". 304 A committee was subsequently appointed to find a new place of meeting, but when the society met, in the school belonging to William Philip of the Calton Friends of the People, on 30 December, only one member of the committee appeared, and he had nothing to report. 305 Increasingly, the Edinburgh societies, thrown back on

303. The Caledonian Mercury, 12 December 1793. Howell, "State Trials", XXIII, 478-479, 498. The Edinburgh magistrates had the backing, and may have been acting on the orders of Lord Advocate Dundas. He wrote to his uncle in the Home Office on 11 December 1793 stating that "as the advertisement signed by Skirving calling a meeting tomorrow appears in the face of the Proclamation of the Magistrates & Sheriff, he is to be taken up this day, & will either be committed to Prison, or obliged to find Bail for his good behaviour. Tomorrow the Peace Officers are to assemble at the appointed Place of Meeting, & to prevent its being held there". Home Office Correspondence (Scotland). RH2/4/73, ff264-265.


their own resources, were forced to meet in private houses or schools belonging to members such as George Ross, William Philip, and William Robertson. Elsewhere too the same picture emerges. The meeting of 16 December referred to above, was the last general meeting of the Stirling Friends of the People. Thereafter, it being "the opinion of the principal leaders... That they should avoid general and public meetings", the Stirling radicals met "to the number of 6 or 10" in members' houses, where they read the newspapers and discussed "political topics". In Dundee the society of the Friends of Liberty, following the example of the Perth Friends of the People, "divided itself into Sections for the purpose of meeting in small parties", while in Glasgow the societies divided themselves likewise into "sections" or "divisions". The adoption of this new organisational structure answered two separate but related problems. In the first place, it allowed the democrats to go on meeting together, discussing, and planning, and in the second, it provided them with some protection against official harassment. In the face of repression, secrecy became both the democrats' watchword and their security. "As in other places", Ebenezer Henderson tells us, "the Friends in Dunfermline were incognomen", and met in the school belonging to their secretary, Adam Dickson, who went by the name of "Cato". By early 1794 the reform movement had virtually disappeared underground.


The reform movement which sought safety in secrecy was but a pale shadow of its former self. While it is an exaggeration to state that "Few of the Scottish societies survived the dispersion of the British Convention", it cannot be doubted that organised radicalism was dealt a body blow by the events of 5 and 6 December. In the heightened atmosphere of fear and repression some societies gave up the ghost entirely, while others met only infrequently. The Broughton society, its treasurer, William Bonthron, stated, met only "for some short time" after the dispersal of the British Convention, while the Water of Leith society's meetings, Arthur McEwan, one of its leading members, admitted, became infrequent. Moreover, most of those societies which continued to meet, whether regularly or irregularly, appear to have done so in greatly reduced numbers. By April 1794 the ranks of the Strathaven Friends of the People had been cruelly thinned by the effects of repression, while it was reported that the Stirling society was "not so numerous as it once was". The decline was most dramatic, or at least best documented, in Edinburgh. On 22 December Procurator-Fiscal Scott reported, with a pardonable degree of exaggeration, that all efforts "to procure meetings of the Societys in & about this place" had been "without success". By 24 January the same correspondent was triumphantly recording the "decline of these Seditious meetings" and the discomfiture of "those concerned or

310. H.W. Meikle, op cit, 146.
313. IBID, 1255.
interested in them". The disconcertion of the democrats, he declared, "is not to be wondered at when its Considered that about this time last year there were upwards of 20 of these meetings weekly in & about Edinburgh all well attended whereas now it requires some exertion to bring about a meeting of any one of them". Where meetings were taking place at all, they were thinly attended. The Water of Leith society had by early 1794 an active membership of "about twenty", while the once mighty Canongate No.1 & 2 society could only attract the same pitiful number to its meeting on 30 December. The Calton society meeting of 22 January 1794, which was attended by a mere eighteen members, was informed by its chairman, an "old Sans-Culottes with a night cap", that the Friends of the People "about Linlithgow, Bathgate, Strathaven &c &c" were increasing both in numbers and in zeal. There can be little doubt however that Procurator-Fiscal Scott was correct in dismissing this information as "false & made on purpose to keep up their spirit here". As Scott himself pointed out, it was "reported at Linlithgow &c &c that the numbers are increasing here". That the situation in Edinburgh was indeed representative of that in the rest of the country is strongly suggested by the demise of the 'Edinburgh Gazetteer', the last edition of which was published


319. The "night cap" was presumably the nearest thing to a French Cap of Liberty which the old man could lay his hands on.


on 29 January 1794. The loss of Colonel Macleod's franking facilities\(^{322}\) and the flight of the editor, Alexander Scott,\(^{323}\) were undoubtedly serious setbacks, but both Richard B. Sheridan and John Wharton apparently offered to replace Macleod,\(^{324}\) and George Ross, Scott's former assistant, was willing to take over the running of the newspaper.\(^{325}\) It was a shortage of money, doubtless due to a fall in both circulation and advertising revenue, which forced the 'Edinburgh Gazetteer' to close down. Attempts were made to start a "New Gazetteer", with George Ross, its prospective editor, requesting that subscribers pay in advance "Lest the proprietors should fall short of funds",\(^{326}\) but these attempts proved unsuccessful. By 10 February 1794 the Friends of the People were in "despair of any resurrection of the Gazetteer", and "Citizen Joseph Gales, Printer of the Sheffield

322. Macleod wrote to the publisher of the 'Edinburgh Gazetteer' on 5 December 1794 stating - "I very much disapprove of some late publications in the Gazetteer; particularly the account of the proceedings of the Convention in the two last. I have therefore written to the Secretary of the Post Office to withdraw the sanction of my privilege for dispersing your Paper". 'The Edinburgh Gazetteer', 10 December 1793. On 9 December Alexander Scott, the publisher of the 'Gazetteer', wrote to Lord Advocate Dundas explaining that Colonel Macleod had "hastily withdrawn the sanction of his name to frank the Edinburgh Gazetteer", and "soliciting your Lordship to grant the sanction of your name for that purpose at least for one or two papers until I can procure some other member of Parliament to grant me that favor". Scott's letter is preserved in Jc26/281. Scott's impudence was noticed by the Lord Advocate in his letter to Henry Dundas of 11 December 1793. Home Office Correspondence (Scotland). RH2/4/73, ff264-265.

323. Scott fled on 1 February 1794. See Scott's "Reasons Justifying the Departure of A. Scott", a printed handbill preserved in the National Library of Scotland. He was due to stand trial for sedition on 3 February 1794.

324. The Edinburgh Gazetteer, 7 January 1794. Both Sheridan and Wharton were members of the Foxite society of the Friends of the People.


326. IBID.
Register" was reported to be in Edinburgh "taking up Subscriptions for his paper". 327

At least some of those who gave up attending radical meetings did so from an apprehension that the Friends of the People had abandoned, or were in danger of abandoning, the constitutional road to reform, and were now set for a violent confrontation with government. Men such as John Lang, of the Newton St. Boswells' society, and Alexander McGibbon from Stirling, who had written to Skirving back in October urging the need for moderation and constitutional integrity, could not have failed to have been alarmed at some of the motions passed and language used by the British Convention. Samuel Paterson of the Lawnmarket society, one of the most notable of the "seceders", thought that the proceedings of the British Convention and, subsequently, of the radical societies had and would have "a tendency to disturb the public peace". He still thought that "a reform in the Commons House of Great Britain would be for the benefit of the nation", but he resolved neither to attend any meeting of the Friends of the People nor to sign any petition for reform. 328 It is not known how representative Paterson

327. J.B. to William Scott, 11 February 1794. NLS. Melville Papers. MS6, ff149-150. Joseph Gales (1761-1841) had helped to found the Sheffield Constitutional Society in November 1791, and played a prominent rôle in the local radical movement. For Gales, see A. Goodwin, "The Friends of Liberty", 222-223, 325-326, and 378-379.

328. The Caledonian Mercury, 7 and 9 December 1793. Paterson, who had been delegated by the Original Association of Edinburgh, to the 1st Convention, chaired the British Convention on 5 December. Meikle, op cit, 241; Howell, "State Trials", XXIII, 455. He wrote to Skirving on 6 December stating - "You know of late I have seldom attended the Convention. Last night I went there, expecting to hear some account of the Members apprehended, and you know it was very much against my inclination being put into the Chair". 'The Caledonian Mercury', 7 December 1793. It was clearly Paterson's intention to leave the readers of the 'Caledonian Mercury' with the impression that he had disapproved of the British Convention's proceedings for some time previous to 5 December and had only attended on that day out of curiosity. It should be noted however that even some of the most committed delegates found it difficult to attend the convention regularly. Alexander Aitchison offered to resign his commission as delegate because he "found it inconvenient to my business" to attend regularly. Howell, "State Trials", XXIII, 529.
was of his fellow "seceders", but it seems clear that many were motivated by fears somewhat different from his. When the Edinburgh general committee decided at their meeting of 10 February 1794 to set up a fund to defray the expenses of the two delegates they intended to send to a proposed second British Convention, they resolved to raise the money from collections taken at society meetings, from voluntary subscriptions, and from "private Contributions from anonymous friends, who durst not appear". The fearful prospect of loss of employment, social harassment, and criminal prosecution persuaded a significant number of democrats of the imprudence of continuing to attend radical meetings. By March 1794 a system of "Collectors" had been established in Edinburgh partly in order to maintain, or rather re-establish, contact between the movement's leadership and the "great many" individuals who "were as warmly attached to the cause as ever, but... could not give attendance regularly".

On 24 January 1794 Maurice Margarot reported that "Everything here shows fear on the one hand, and discontent nearly ripe on the other". His assessment of the situation was both succinct and perceptive. In the overheated political atmosphere which enveloped Scotland after the dispersal of the British Convention, some radicals came, in their rage and desperation, to urge and threaten violence against their "oppressors". On 10 December the 'Edinburgh Gazetteer', in a clear response to the events of 5 and 6 December, published an article entitled "An Extraordinary Instance of Public Spirit in a Cobler of Messina", which told the story of an Italian cobbler who

329. J.B. to William Scott, 11 February 1794. NLS. Melville Papers. MS6, ff149-150.
turned to assassination to rid his city state of debauched noblemen and unjust magistrates, and concluded by asking "What if the Cobler of Messina should revive?" In Perth some radicals determined upon insurrection as the best method of striking back at 'Old Corruption'. In a handbill addressed "To all independent souls", which appeared on 9 January 1794, the Perth revolutionaries stated that owing to the measures pursued by the wretched Guelph, and his abandoned and profligate Ministry... the Aera of an important Revolution is at last come". There was, they claimed, "no more time to deliberate - When the oppressor's hand labours incessantly in forging chains for you". Arguing that "Silence would be a crime and inaction a disgrace", and that "the preservation of the rights of Britons is your Supreme law", they concluded by urging "To arms - To arms". No serious preparations, it appears, had as yet been made anywhere to convert daring words into action, but it was nevertheless clear that a new, violent, mood was emerging within at least some sections of the radical movement. That events were approaching a crisis and that discontent might easily give way to actual violence, Lord Advocate Dundas was in no doubt. Writing to Home Secretary Dundas, he stated that he was convinced that "decided & strong measures" should be taken against those whom he termed "Rebels". It was, he added grimly, "the only system which will have effect; or otherways, an Insurrection will be the consequence." The "strong measures" alluded to were the

332. The Edinburgh Gazetteer, 10 December 1793.
trials of the leading members of the British Convention. After
toing with the idea of levelling a charge of high treason against
Margarot and possibly some others, Lord Advocate Dundas had
eventually decided to indict Skirving, Margarot, Callander, Scott,
Gerrald, and Sinclair on the lesser charge of sedition. On 20
December William Skirving was served with a Bill of Criminal Letters,
and ordered to appear before the High Court of Justiciary on 6
January 1794.

The Scottish sedition trials of early 1794 were clearly of
the greatest importance. At stake was not just the liberty of six
individuals, but the continued existence of the Friends of the
People as a movement working openly and legally for constitutional
reform. The conviction of the leading members of the British
Convention would both condemn that convention and legitimise repression,
forcing the Scottish radicals either to suspend their activities or
to pursue them in secret. Moreover if the British Convention was
condemned by the courts, then it was almost certain that many
radicals would conclude that the constitutional road to political
change was blocked, and that "the Aera of an important Revolution is
at last come". However, the acquittal of Skirving and his colleagues
would have greatly altered the prospect before the Friends of the
People. The acquittal of the panels would have been seen as a

336. Matthew Campbell Brown, George Ross, and William Ross had also
been examined, but were not charged.
337. Bill of Criminal Letters against William Skirving, 20 December
1793. JC26/280.
338. Only four actually stood trial. Alexander Callander and
Alexander Scott fled.
vindication of the legality of the British Convention's proceedings, and would therefore have served to turn the democratic movement away from its incipient insurrectionism. Moreover, a series of not guilty verdicts would not only have made the Lord Advocate more wary of bringing further prosecutions, but would also have lessened the Friends of the People's fear of prosecution. The consequences might well have been far reaching. Both the morale and the membership of the Friends of the People might have been restored to the levels reached in the halcyon days of late 1792. But, are these speculations justified? Or, to put the question another way, was there any real chance of acquittal? Few historians have seriously considered the possibility, and most appear to have accepted Cockburn's verdict that the panels were "from the first... doomed". That the bench were indeed prejudiced against the defendants, and by modern standards disgracefully so, there can be no doubt. Similarly, the propertied classes' clearly expressed detestation of the British Convention made it virtually certain that any jury, 'packed' or not, would have been far from sympathetic towards the defendants. Nevertheless, while the dice were certainly loaded against Skirving and his colleagues, it may be doubted whether the outcome of the trials was a foregone conclusion. The curious case of Charles Sinclair demonstrates that, even in the overstrained atmosphere of 1794, trial for sedition before a Scottish court did not inevitably result in conviction.

In their Cockburnesque enthusiasm to attack the judges', and particularly Braxfield's misconduct, most historians have tended

339. H. Cockburn, "An Examination of the Trials for Sedition", II, 78. Cockburn was here referring specifically to Gerrald, but the quotation illustrates his general view of the sedition trials of 1794.

340. This trial is discussed on pages 545-546.
to ignore, or relegate to relative insignificance, the extraordinary behaviour of the defendants. This is undoubtedly an error, for the manner in which the panels chose to defend themselves had an important bearing upon the outcome of their trials. With the notable exception of Sinclair, those who stood trial either conducted their own defence or took a leading part in its presentation. None of these would-be advocates had any knowledge of Scots Law, and, as might have been expected, all hopelessly mishandled their defence. Yet there can be no doubt of the willingness both of some leading lawyers to defend the accused, and of the High Court to appoint counsel upon the defendant's application. Why then did Skirving and Margarot follow Muir's unhappy example, and why did Gerrald insist upon addressing his jury?

It would seem that the key to the answer to this question is to be found in a letter written by Margarot to the London Corresponding Society on 8 December 1793. In this letter Margarot stated that "we find ourselves happy in being placed in the front of the battle; but let them [ie the members of the society] remember that our sacrificing ourselves will be of little use, unless they afford us a proper support". From this it may be inferred that they looked forward to their trials with some relish, believing that their 'martyrdom' would be of service to the radical cause. The possibility of acquittal, they believed, did not arise. Muir and Palmer's fate it would appear had convinced them that their conviction was certain. In their view, no benefit could be obtained from employing counsel. If it was true, as Gerrald believed, that their doom "was fixed by instructions from


342. Gerrald, it appears, developed some doubts about the wisdom of standing trial and "sacrificing" himself. A. Goodwin, "The Friends of Liberty", 311, fn17. These doubts were short-lived however.
the Great Man above Dundas", 343 then clearly even the most brilliant lawyer had no chance of securing their acquittal. Moreover, no self-respecting lawyer would, if given any choice in the matter, 344 allow them to use their trial as a vehicle for political propaganda. By defending themselves however the 'martyrs' were able, like Thomas Muir, to employ Scotland's highest criminal court as a forum from which to expound their political views and attack their opponents. Their intended audience was not their juries, but the nation, which they knew would be well informed of the proceedings at their trials, and which they hoped would react favourably to their case. "I address myself", Margaret declared, "to my country... through the medium of a jury". 345 In adopting this course of action the panels ensured their own conviction and their elevation to the rank of "political martyrs".

The day of Skirving's trial illustrated where the sympathies of the Edinburgh crowd lay. The Tory mobs imagined by Sir Henry Craik were noticeable only by their absence, and, in their place, "a very great number of people" assembled to demonstrate their feelings by

343. Procurator Fiscal William Scott wrote to Lord Advocate Dundas on 16 February 1794 reporting a conversation he had had with Gerrald the day before. "He assured me", wrote Scott, "that he was determined to stand his tryal were the result to be death in place of Botany Bay, - he said he knew his Sentence by the Court here was fixed by instructions from the Great man above Dundas but his mind was made up to it. The only consolation he had was that e'er long & before he could reach that place for which he was destined... that punishment would overtake & fall upon the heads of those who are persecuting him & distressing his country". NLS. Melville Papers. Ms6, ff141-143.

344. Counsel appointed by the court were not free to stipulate conditions. Thus Adam Gillies and Malcolm Laing, who were appointed to defend Gerrald, could not insist upon having total charge of his case. They could not withdraw their services even although Gerrald insisted upon making the final speech to the jury.

accompanying Skirving to the High Court.\footnote{346} Inside, a "remarkably crowded" court room awaited the drama that was to unfold. The panel faced four main charges: viz, circulating the Dundee Address of July 1793,\footnote{347} writing and circulating the address of the Edinburgh Friends of the People of 4 October 1793,\footnote{348} taking a prominent part in the activities of the British Convention, and resisting the dispersal of that "illegal convention". Faced with such a formidable indictment, and with the material evidence which he knew would be supplied from his own papers,\footnote{349} Skirving needed all the legal help he could get. Nevertheless he arrived in court without a lawyer and twice declined the bench's offer to appoint counsel for him. There was undoubtedly

\footnote{346} The Caledonian Mercury, 6 January 1794. Prior to the trial, "printed hand-bills had been... dispersed and posted up in several places in the city and country, inviting people to assemble for the purpose of accompanying him to his trial". 'The Glasgow Advertiser and Evening Intelligencer', 10-13 January 1794.

\footnote{347} His involvement in this business had earlier brought him to the notice of the authorities. On three separate occasions between 31 July and 8 August 1793 he had been questioned by Sheriff-substitute Davidson, and on 7 August a warrant had been issued authorising a search of his house for incriminating letters and papers. Skirving freely admitted distributing copies of the Dundee Address among the Edinburgh Friends of the People, but declined to answer whether he had sent any to "any of the Societies of the Friends of the People as proposed in Mr. Palmer's letter", of 9 July 1793, which had presumably been found during the search of his house. Palmer's letter is printed in Howell, "State Trials", XXIII, 322-323, while Skirving's declarations, dated 31 July, 7 August, and 8 August, are to be found in JC26/280.

\footnote{348} The prosecution alleged that this address threatened the loyalists with the loss of their lives and properties. The passage most objected to stated that "Had certain gentlemen countenanced this association last year, instead of pledging their lives and fortunes to prompt a corrupt and ambitious ministry to engage in a war, which could only bring guilt and ruin on the nation, we might have been still enjoying uncommon prosperity, and a happy understanding among ourselves as brethren: and now, if they will not manfully retract that very impolitic step, and immediately join their influence to the only measure which can prevent further calamity, if not anarchy and ruin, their pledge may be forfeited, and the Friends of the People will be blameless". Howell, "State Trials", XXIII, 475.

\footnote{349} These papers, which were seized on 5 December 1793, provided the authorities with perhaps their most important single source of evidence. They are now preserved in JC26/280.
some truth in his statement that many lawyers feared acting for the radicals, but it is difficult to resist the conclusion that the panel's decision was less influenced by the fear of damaging a lawyer's career than by the desire to conduct his own defence. The consequences of Skirving's decision to rely entirely on his own non-existent legal skills soon became apparent. Challenging the relevancy of the indictment, Skirving maintained that he could not be held accountable for the acts of the British Convention. He denied that the crime of sedition, as such, was known in Scots Law, and opined that "The true definition of sedition is that which our own Scots statutes give under the head of leasing making". If by sedition the Lord Advocate meant something more than leasing making, Skirving concluded, "he ought now to declare candidly what he intends by it; and the Court ought to fix him down to such precise definition; and they must also declare the precise statute, or statutes, of which this crime, so defined, is a breach." This submission did not long delay the court. Lord Eskgrove, having pointedly remarked upon the panel's decision to defend himself, stated that "to say, that an indictment charging sedition is not relevant without an act of parliament, is contrary to usage, and contrary to law". The old judge similarly dismissed Skirving's absurd argument that he could not be held responsible for the acts of the British Convention. If Skirving concurred in the acts of that convention, then he was responsible, declared Eskgrove.

351. IBID, 491.
352. IBID, 509.
353. IBID, 509.
354. IBID, 510.
355. IBID, 510.
The prosecution's case, while hardly insubstantial, was far from conclusive, and some of its evidence went in the panel's favour. William Ross, for example, deponed that Skirving had always advocated orderly and regular behaviour, and that the object of the British Convention was to apply to Parliament for reform. Moreover he agreed with Skirving that the secret committee appointed by the convention "was a committee of confidence... appointed for the purpose of timeous remonstrance, against a quietism bill, by a speedy recall of the convention the instant that a motion for such a bill passed the House of Commons".\textsuperscript{356} This evidence was corroborated by George Ross,\textsuperscript{357} his brother, and while the jury would have undoubtedly been concerned about the value of such testimony, it would at least have forced them to question the prosecution's interpretation of the convention's proceedings. Inexplicably, but crucially, Skirving failed to avail himself of the opportunity to sow further seeds of doubt in the jurors' minds. This legal novice declined to bring forward any exculpatory evidence, declaring that it was "unnecessary... the public prosecutor having proved nothing criminal against me".\textsuperscript{358} The panel's refusal to lead any evidence in his own defence was a serious error, which no advocate could conceivably have committed.

Skirving's sadly incompetent handling of his defence was capped by the tragically misdirected speech with which he concluded his case. Following the precedent laid down by his friend, Thomas Muir, he attempted not only to defend the legality of his actions, but also to convince the jurors of the necessity of radical reform. "I will not

\textsuperscript{356} IBID, 528.
\textsuperscript{357} IBID, 534.
\textsuperscript{358} IBID, 536.
suffer", he stated, "a doubt to remain about this necessity in the breast of any one who hears me". As good as his word, Skirving set about the task of proselytising the jury. With the use of extensive quotations from the Earl of Buchan's 'Political Essays', he attempted to persuade them that the constitution had been totally overthrown and that, as a consequence, the liberties of the people were in imminent danger. Reading from Buchan's 'Essays', he stated that

"A system of corruption, established and digested early in this reign by a baneful aristocracy, has pervaded every rank and order of men, till the spirit of the constitution has fled, and left only the caput mortuum behind. The forms of our government have outlasted the ends for which they were instituted, and have become a mere mockery".

These comments were unlikely to endear Skirving to the jury, but at least they suggested, or could be interpreted as suggesting, that the panel's political activities were guided by a desire to restore the constitution to its pristine purity. Skirving however went on to express principles which could not be easily reconciled with Whig constitutionalism. Having declared that the people had an historical right to annual parliaments, he asserted that "universal suffrage is the very principle of the constitution of the British House of Commons". Most outspokenly of all, he stated that "the British constitution is neither more nor less than the independent spirit of the nation", which acts to restrict its rulers' power and increase its own as circumstances require.

359. IBID, 570-571.
360. IBID, 572.
361. IBID, 579.
362. IBID, 579.
After such a bungled defence, it may be doubted whether Braxfield's violently prejudiced charge had any material effect upon the outcome of the trial. It is likely that by the time Skirving sat down, the jury had already decided upon his guilt. When, on 7 January, the bench came to sentence Skirving, Braxfield could not forbear from referring to the panel's decision to defend himself. "My Lords", the Lord Justice Clerk stated, "if he suffers for the want of counsel, he must, I am sure, impute that to himself, for he must know, that a man arraigned at the bar of this court, whether he has money to pay counsel, or whether he has not, he need not go without, for this Court will appoint him one". This, rather than Skirving's more famous statement denouncing the verdict, must be considered the most apt comment on the trial.

Six days later Maurice Margarot came before the High Court. His trial had been originally scheduled to take place on 9 January, but owing to the Lord Advocate's indisposition a four day postponement had been granted. The day of the trial opened in dramatic fashion. As on 9 January, "a vast crowd" gathered outside the Black Bull Inn in Leith Street, where Margarot was staying, to demonstrate their solidarity with the accused by escorting him to court. When Margarot appeared among his supporters, they insisted that he should walk under

363. This charge, which closely parallels that delivered at Muir's trial, is recorded in Howell, "State Trials", XXIII, 589-592.
364. IBID, 600.
365. Skirving's last words before leaving the court were - "My Lords I know that what has been done these two days will be rejudged; - that is my comfort, and all my hope". IBID, 602.
366. The Glasgow Advertiser and Evening Intelligencer, 6-10 January 1794.
367. For an account of Margarot's triumphal progress both to and from the court on 9 January see 'The Edinburgh Gazetteer', 15 January 1794. See also 'The Glasgow Advertiser and Evening Intelligencer', 6-10 January 1794.
a triumphal arch, from which was suspended a medallion inscribed with the legend "Liberty and Virtue, Reason, Justice and Truth".\textsuperscript{368} The authorities however had decided that they could no longer tolerate such demonstrations,\textsuperscript{369} and when the procession reached the North Bridge it was intercepted by "a great body of sailors", constables, and town officers under the joint command of Lord Provost Elder and Sheriff-substitute Davidson. Armed with bludgeons, the forces of repression attacked "this peaceable procession", and, in the words of the 'Edinburgh Gazetteer', "after knocking down a great many of the crowd, and seizing on some of the persons who supported the arch;... threw over the bridge Liberty, Virtue, Reason, Justice, and Truth, not wishing, perhaps, that Mr. Margarot should be attended by them to the Court".\textsuperscript{370} Such a brutal confrontation may have shaken lesser men, but Margarot was unaffected. His conduct in court was, as Lord Advocate Dundas subsequently reported to the Home Office, "a scene of Insolence, Effrontery, & Petulance unparalleled".\textsuperscript{371} One example of the panel's

\textsuperscript{368} The Edinburgh Gazetteer, 18 January 1794.

\textsuperscript{369} Elizabeth Dundas wrote to Home Secretary Dundas on 10 January 1794 stating that "He [ie Robert Dundas, her husband, whose illness prevented him for writing] is very sorry to mention the unexpected appearance that took place yesterday on Margarot's going to Court... he had yesterday & today been consulting with the Lord Provost, Sheriff, Solicitor, &c &c, on the subject, & tho' he is apprehensive that the business will not end without some Riot, every proper measure is at present taking for preventing the repetition on Monday; & if these should fail, still more vigorous ones will be used". NLS. Melville Papers. Ms14838, ff96-98.

\textsuperscript{370} The Edinburgh Gazetteer, 18 January 1794. The 'Gazetteer's' account does not differ materially from that given in newspapers of a more conservative hue. See, for example, 'The Caledonian Mercury', 13 January 1794; and 'The Edinburgh Evening Courant', 13 January 1794.

\textsuperscript{371} Robert Dundas to Henry Dundas, 15 January 1794. Home Office Correspondence (Scotland). RH2/4/74, ff82-84. 'The Edinburgh Evening Courant' of 16 January 1794 opined that Margarot's trial was "the most extraordinary that has ever occurred in this country. The pannell, during the whole proceedings, conducted himself in the most eccentric manner, braveing the Court, treating its forms with contempt, and the Judges with an indecent freedom".
astounding insolence may be given. When asked to enter his plea, Margarot replied

"I am not guilty! but I do not understand what is done with the objection I have already made [ie that as the Lord Justice General was not present, the trial could not proceed].

Lord Justice Clerk - It is repelled.

Mr. Margarot - Oh! it is repelled, is it; according to custom? Then I must make an open declaration of my intention, to enter a protest against the proceedings of this Court".

If, as seems likely, this behaviour was intended to provoke the bench, and in particular the notoriously choleric Braxfield, into committing an indiscretion, the panel's failure was almost total. Only once, after Margarot had protested long and passionately against the court's refusal to subpoena witnesses resident in England, did the Lord Justice Clerk's sorely tested patience run out. "You come here to speak to the Court", Braxfield exploded, "and not to harangue the mob!" The bench were no doubt fully aware of what the panel was about, but their unwonted forbearance in the face of such provocative behaviour also owed something to their desire that a foreigner be allowed as much latitude as possible in the conduct of his defence. Braxfield told Margarat that "if you were not a foreigner and a stranger, we would not have suffered you to have said one half of what you have said".

372. The Lord Justice Generalship was at that time a sinecure. The office was then held by David Murray (1727-1796), second Earl of Mansfield.
374. IBID, 629.
375. IBID, 630.
Margarot's conduct of his defence was characterised as much by his ignorance of the law as by his impudence. His objections to the absence of the Lord Justice General, and to the court's refusal to subpoena witnesses from England had no basis in law, while his objection to Braxfield's presence on the bench, on the grounds that the Lord Justice Clerk had prejudged his case, was improperly timed. Moreover, his submission challenging the relevancy of the indictment was both muddled and clumsily presented. Like Skirving, Margarot called upon the court "to point out the law which makes sedition a crime". On being informed by Solicitor-General Blair that "sedition was made a crime not by a statute, but by the common law of Scotland", the panel stated that sedition, whether real or verbal, was now punished "either by imprisonment, fine, or banishment", that he had been improperly charged, and that the earlier 'martyrs' had been improperly sentenced. His argument was clearly based on that employed by Foxite lawyers to criticise Muir and Palmer's trials, but it was neither cogently nor lucidly expressed. It would have been better for him if he had entrusted the presentation of his submission to those who knew what they were talking about. As Lord Abercrombie put it: "I am

376. Prior to calling his own witnesses, Margarot asked Braxfield whether, at a dinner party held during the week preceding the trial, he had said "what should you think of giving him a hundred lashes, together with Botany Bay?", and whether he had told a lady, who had said that "the mob would not allow you to whip him", that "the mob would be the better for losing a little blood?" IBID, 672. The court decided that: Braxfield need not answer these questions as they tended neither to exculpate him nor to alleviate his guilt. IBID, 672-673. The objection should have been raised at the very start of the trial, see IBID, 808-814.

377. IBID, 616.

378. IBID, 617.

379. IBID, 618-619.
In one respect at least, Margarot's defence was better conducted than Skirving's. Unlike his predecessor, Margarot appreciated the value of exculpatory evidence. Two witnesses, James Calder and John Clark, were called, whose testimony tended to reinforce the favourable impression of the British Convention's intentions given by some of the prosecution's own witnesses, and in particular by George Ross and Thomas Cockburn. Calder deponed that the object of the convention of emergency was to petition Parliament not to pass a convention bill,\(^{381}\) that the radical societies never meant to employ violence, and that no "warlike preparations" had been made.\(^ {382}\) Clark meanwhile testified that the radicals aimed at peaceful and constitutional reform rather than violent revolution,\(^ {383}\) that they had no plans to meet or assist any French invasion force, and that no members of the British Convention were in correspondence with France.\(^ {384}\) However any benefit which may have been derived from such evidence was thrown away by the panel in a speech to the jury, which Lord Advocate Dundas described as "in every part inflammatory & seditious [and] in some

\(^{380}\) IBID, 636.

\(^{381}\) George Ross testified that the aim of the convention of emergency was "to petition parliament for a redress of grievances". IBID, 663.

\(^{382}\) For Calder's testimony, see IBID, 674-676.

\(^{383}\) See also Thomas Cockburn's testimony. On being asked whether he had seen in the British Convention "any tendency to have recourse to open force", he replied that "It was diametrically opposite to my views to have the least recourse to open force, nor was it the subject of discussion in the convention". IBID, 649.

\(^{384}\) For Clark's testimony, see IBID, 677-678.
respects treasonable". With this speech, Margarot removed any doubts which may have lingered in the jurors' minds as to his seditious intentions. He portrayed Britain as being under the iron-heel of a despotic government which levied massive taxes from the unrepresented "poor" to maintain itself in power by bribing the "rich", and to pay for an unnecessary, bloody, and expensive war against French liberty. The social cost of this system of government, he argued, was mass unemployment and poverty, and its inevitable consequence was national bankruptcy and disaster. In Britain, he continued, "there is not a man who would exert his industry, but might earn a comfortable livelihood, if our constitution was returned to that point at which it was settled at the revolution; but it [ie the constitution] is all done away". While he denied that he wished to restore the constitution by force of arms, he declared that the principles established by the Glorious Revolution authorised rebellion. If, he stated, "the wholesome and necessary constitutional provisions [of 1688] should, by any means, be taken away, or frustrated, the same objects would again justify the same national struggle, and the same extremities". To imply, as Margarot clearly did, that a convention parliament might be justifiably called in 1794 to "restore" the constitution was, to say the least of it, a curious defence against a charge of sedition. In his charge to the jury Braxfield commented upon Margarot's lack of discretion and judgment, stating "The crime charged is sedition; and

387. IBID, 727.
388. IBID, 728.
I think he took up four hours in a defence, which was sedition from beginning to the end." 389

Margarot's speech offered no defence in law against the charge before him. It was a political statement which was both eloquent and damning. It not only ensured his conviction, but also persuaded the bench that they were dealing with a very dangerous political criminal. In the judges' view, Margarot was, like Muir and Palmer before him, one of those "factious and designing men", whose great talents had been mischievously employed in stirring up the ignorant "lower orders", and who were directly responsible for the current political unrest. Lord Eskgrove compared Skirving, "a simple deluded man", with Margarot, "a man of abilities, of considerable knowledge, and one who took the lead in this convention", 390 while Lord Abercrombie contrasted the political ignorance of John Clark, one of Margarot's witnesses and a member of the British Convention, with the political knowledge and ability displayed by the panel in his address to the jury. 391 "My Lords", Abercrombie concluded, "if we are to judge of... the speech which we heard last night, sure I am, that his intention was to stir up a spirit of sedition and discontent among the ignorant and uninformed". 392

389. IBID, 767.

390. IBID, 774.

391. IBID, 776. Abercrombie remarked that Clark "was so ignorant of the constitution of his own country, that he was obliged to admit that he never so much as read the Claim of Rights". Is it, the judge asked, "to such men as these that we are to resort, to get a redress of the grievances of this country?" IBID, 776. Under cross-examination Clark had been shown to be ignorant of both the Bill of Rights and the Claim of Right. Moreover he deponed that the Act anent Wrongous Imprisonment was English, and admitted that he had read neither that act nor its English equivalent, the Habeas Corpus Act. IBID, 678-679. The prosecution's aim in establishing Clark's ignorance of these important constitutional documents was not simply to discredit the democratic movement but also to suggest that the ordinary members of that movement were the simple dupes of real criminals such as Margarot.

Braxfield concurred in this opinion, stating that the panel "comes into this country a man with a great deal of abilities and great elocution - he comes here for the express purpose of disseminating sedition among the lower orders of the people". However, while the bench regarded Margarot as more talented and, therefore, more dangerous and criminal than Skirving, they decided to impose the same sentence of fourteen years transportation.

After a series of postponements and delays Joseph Gerrald's trial got underway on 10 March 1794. The last of these delays had been caused by Gerrald's late application to the court for counsel. It is extremely doubtful if this application owed anything to a newfound hope of acquittal, for the panel's conduct during the trial indicates that his previously expressed views on that matter had not changed. The probable explanation is that Gerrald felt that the radical cause would benefit from a skilled exposition of those legal objections previously raised so clumsily by Skirving and Margarot. There was no intention of giving Adam Gilles (1766-1842) and Malcolm

393. IBID, 777.
394. IBID, 777, 602.
395. The trial had been originally set for 8 January, but, upon Gerrald's request, it was postponed until 27 January in order that the accused might return to England and settle his affairs. However a heavy snow-fall delayed his return to Scotland until 29 January, and he was fugitated for non-compearance. Upon his petition of 30 January the sentence of fugitation was remitted and bail granted. Trial was then fixed for 3 March, but on its very eve Gerrald applied to the court for counsel. This request was granted, and the trial postponed until 10 March. IBID, 804-807. "Petition of Joseph Gerrald", 30 January 1794. JC26/277. "Bond of Caution for J. Gerrald", 31 January 1794. JC26/275.
Laing (1762-1818), the able advocates appointed by the court, sole charge of the defence case. While Gerrald was happy to let them employ their formidable skills in challenging the relevancy of the indictment and in cross-examining the prosecution's witnesses, he insisted upon addressing the jury himself.

Gerrald's address closely paralleled that delivered by Margarot. It was, as Advocate-Depute John Burnett (1763-1810) remarked, the speech of a man who "wished to be considered as a Second Sidney", and "was intended as a great exhibition". It was not, nor was it intended to be, primarily a defence in law against the charge of sedition. It was conceived, by a man who "compared himself all along to Sidney", as the political statement of a martyr; and, as W.D. Lyell remarked, "after it was delivered no verdict of acquittal was possible". Much of Gerrald's speech was, in strict law, irrelevant to the point at issue, being, as Advocate-Depute Burnett put it, "a dissertation on the principles of Government".

396. Both Gillies and Laing were Foxite reformers and both had attended the Bastille Day dinner in Fortune's Tavern, Edinburgh, in 1791. Laing was an original member of the London Society of the Friends of the People, while Gillies, an outstanding lawyer who was elevated to the bench as Lord Gillies in 1811, had been a prominent burgh reformer. See inclosure in James Stirling's letter to Henry Dundas, 15 July 1791. Home Office Correspondence (Scotland). RH2/4/61, ff346-347. Howell, "State Trials", XXIV, 1024. A. Fletcher, "A Memoir concerning the origin and progress of the reform proposed in the internal government of the Royal Burghs of Scotland", 18, 22-23.


out to prove that universal suffrage and annual parliaments were "not only conformable to every maxim of sound government, but congenial to the spirit of the British constitution". He treated the court to a panegyric on American democracy, and to a long discussion of the democratic principles of the ancient English and Scottish constitutions.

Universal suffrage, in the panel's view, was the natural and historical right of every man, and any government which was not elected democratically was illegitimate. Any government, he stated, "which is not a government of consent, must of necessity be a government of usurpation". The "spirit" of the British constitution, he told the court, "is fled, and what remains is only the 'dead carcase'. The present system of parliamentary representation, he declared, was not such a representation as the original principles of our constitution intended, or as the revolution was meant to promote. It was, he believed, "a mockery of representation". If Gerrald believed that the constitution was "done away", then it became a question of some importance to discover how he proposed to get it restored. No doubt the jury had already begun to form an opinion on that matter, but Gerrald undoubtedly assisted them in their deliberations. While he denied that the British Convention intended to promote an insurrection, he went on to articulate principles which ensured that his denial did him no good. He defended the principle of armed resistance with

402. IBID, 957-961.
403. IBID, 955.
404. IBID, 965.
405. IBID, 973. Gerrald had earlier claimed that "the present system of government is a libel upon our real constitution". IBID, 965.
quotations from Grotius, Blackstone, Locke, and Sydney, and declared that "as all magistrates are set up for the good of the people; so, whenever they act contrary to the end of their institution, they may be opposed". The clear implication, whether Gerrald intended it or not, was that the present 'illegitimate' British government might justifiably be opposed by force of arms.

The tragedy of Gerrald's case is that a not guilty verdict might well have been secured had the panel entrusted either Adam Gillies or John Clerk with the task of delivering the final address to the jury. We may be confident that such able counsel would have avoided advancing the political sentiments which formed the basis of Gerrald's speech, and would instead have concentrated their attention on, and exploited fully, the many weaknesses in the prosecution's case.

As in previous trials, much of the verbal evidence was to the panel's advantage. Sheriff-substitute Davidson testified that the convention had been discussing a petition to parliament when he dispersed it on 6 December, while Thomas Cockburn, one of the members of the British Convention, deponed that its purpose had been "to collect the minds of the people who were of the same opinion, and by legal methods, to obtain their object in a peaceable manner". The "legal method" in question, Cockburn explained, was a petition to parliament. Such

406. IBID, 977.
407. John Clerk of Eldin (1757-1832), who had earlier defended Thomas Fyshe Palmer, took the place of Malcolm Laing as Gerrald's second counsel when the trial resumed, after a three day interruption, on 13 March. Gillies and Clerk were assisted by Archibald Fletcher. All three defence counsel were prominent Foxites and burgh reformers. The reason for Laing's absence is not known. He may have taken ill.
409. IBID, 920.
testimony would probably not have disturbed the prosecution unduly, for their case was built on material, not verbal, evidence. However anxiety would almost certainly have crept into Solicitor-General Blair's mind when Gillies and Clerk began, by means of expert cross-examination of the prosecution's own witnesses, to cast serious doubts on the value of that crucial material evidence. Central to the crown's case was the resolution of the British Convention which provided for the calling of a convention of emergency. It was upon this resolution that, as Gerrald himself put it, "the great ground of criminality is laid". The document in question had been found, so the crown alleged, among those papers belonging to Charles Sinclair which had been seized at the time of the dispersal of the British Convention. However, the prosecution's own witnesses testified that Sinclair's papers had been carried to the sheriff-clerk's office in an unsealed napkin or handkerchief and left there unguarded for some time. Moreover it was also established that a considerable period had elapsed before an inventory of the papers had been drawn up. This testimony clearly introduced some doubt as to the authenticity of the document and raised the possibility that it might be 'planted' evidence. Further doubts arose from the fact that the resolution in question, unlike other undoubtedly genuine resolutions, had been neither signed by Skirving nor found among his papers. From this, moreover, a second difficulty emerged. Could the jury be certain that the alleged

410. Lord Advocate Dundas was in London on parliamentary business, and in his absence Blair had taken charge of the crown's case.
412. IBID, 905-915.
413. IBID, 981. This was pointed out by Gerrald in his final address to the jury.
resolution had ever been passed by the British Convention? Even more serious, perhaps, was the revelation that doubts could also be entertained about what had actually been said in the convention. This was of great importance because the main charge against Gerrald was that of making seditious speeches in the convention.\textsuperscript{414} To establish the truth of this charge the prosecution relied mainly on the 'Edinburgh Gazetteer', in which, they claimed, the convention's proceedings were accurately reported. Thomas Cockburn's testimony tended to support the crown's contention. He stated that the 'Gazetteer's' account of Gerrald's speech in support of the resolution for a convention of emergency was substantially the same as he remembered the panel making at the convention. He added, however, that, while he recollected "a great many words", he did "not mean to identify the whole speech".\textsuperscript{415} Of much greater use to the defence was the testimony of William Ross, upon whose notes the 'Gazetteer's' account of the convention's proceedings was based. Ross deponed that he was "sure it [i.e. the 'Gazetteer'] is not accurate",\textsuperscript{416} and explained that his hearing had been badly affected by a head cold and that his short-hand was, in any case, of poor quality.\textsuperscript{417} He testified, moreover, that "I filled it up as I thought suited the occasion", and added that one delegate had complained to him of "a number of inaccuracies".\textsuperscript{418} All the important weaknesses in the prosecution's case were explored by Gerrald, who, in Advocate-Depute Burnett's

\textsuperscript{414} IBID, 815-822. See also IBID, 941-946.
\textsuperscript{415} IBID, 921-922.
\textsuperscript{416} IBID, 928.
\textsuperscript{417} IBID, 928-929.
\textsuperscript{418} IBID, 929-930.
opinion, "attempted... with considerable ability to take off the force of the Evidence". However the panel's efforts could avail him nothing after he had spent the greater part of his address advocating principles which the court would be certain to regard as seditious. The question must be what Gillies or Clerk could have achieved with the ammunition wasted by Gerrald.

On the same day that Gerrald received the now customary sentence of fourteen years transportation, Solicitor-General Blair deserted the diet against Charles Sinclair 'pro loco et tempore'.

In Cockburn's, and most subsequent historians', view this unprecedented move was easily explained: Sinclair had agreed to become a government spy. The problem with this explanation is that there is absolutely no evidence to support it. There is no mention in official records of Sinclair becoming a spy and no record of him ever supplying intelligence reports to the authorities. Moreover it is impossible to reconcile the 'spy theory', if such it may be called, with the letter written by Advocate-Depute Burnett on 14 March 1794. "It is very probable", Burnett commented, "that Mr. Sinclair will take himself off - & give no further trouble". If Sinclair did not become a spy, why then did Blair drop the charges? Henry Erskine, Sinclair's counsel,

hinted that it was as a result of the pleadings on the relevancy of the indictment that the prosecution were obliged to give up the case.\footnote{423} This seems unlikely however for the defence's submission was unanimously rejected by the bench.\footnote{424} Moreover there is no evidence that the judges had second thoughts on the matter. On the contrary, when on 10 March, almost three weeks later, Gillies and Laing put forward the same arguments challenging the relevancy of the indictment against Gerrald, the bench again unanimously rejected the submission.\footnote{425} Lord Dunsinnan stated that "the consideration of this very point was so lately before us,... that I think it unnecessary for me to say more, than that I think, in this case, as I did in that, that this indictment contains matter relevant to infer the crime of sedition".\footnote{426} The prosecution's decision to abandon the case was seemingly influenced more by worries about the adequacy of the evidence than by doubts about the law. As Gerrald's trial revealed, serious questions could be asked of the value of much of the material evidence crucial to the crown's case. Moreover, the fact that Henry Erskine, and not Sinclair, would have made the final address to the jury, would have weighed heavily in Blair's calculations. If the trial had gone ahead, Blair could have been certain that Erskine would have exploited fully the deficiencies in the prosecution case. The risk of a politically damaging defeat, it appears, was too great to justify taking the case to trial. The government had little to gain from such a risky trial and much to lose. If Sinclair had been

\begin{itemize}
\item \footnote{423} Howell, "State Trials", XXIII, 807.
\item \footnote{424} IBID, 796-802.
\item \footnote{425} IBID, 889-901.
\item \footnote{426} IBID, 899.
\end{itemize}
acquitted, much or all of the political benefits gained from the dispersal of the British Convention and the earlier trials would have been lost. The whole question of the legality of the British Convention would have been re-opened, and there was some danger that the Friends of the People would have regained heart. Three examples had already been made, why should the government's law officers gamble everything on a fourth?

The decision to desert the diet against Charles Sinclair was both unexpected and unexplained. Rumour abounded, and it was widely reported that Sinclair had become a spy. Wherever this report originated, it seems clear that it did not originate within the democratic movement. Both the Glasgow and Edinburgh Friends of the People accepted Sinclair as a totally trustworthy colleague. It is not known what view the democrats took of Solicitor-General Blair's decision, but, whatever it was, they found no cause to revise their interpretation of recent political and judicial events. In their view, the dispersal of the British Convention and the trials of its leading members heralded despotism's total triumph. The 'late proceedings' of the High Court of Justiciary, the Glasgow democrats stated, "would

427. The 'Morning Post', a London newspaper with opposition Whig loyalties, reported on 22 March 1794 that "As Sinclair is not to be tried a report has prevailed in Edinburgh that he acted as a spy; this has... almost driven him to madness". Quoted in C. Bewley, "Muir of Huntershill", 83, fn. The 'Morning Post' explained that "Sir John Sinclair MP, to whom he is nearly allied, has made interest with Government on his behalf". It may be doubted however whether the intercession of Sir John Sinclair of Ulbster (1754-1835) would alone have persuaded the government to drop the charges against a man regarded as one of the leading figures in the British Convention. Sir John Sinclair was an independent member of parliament and had no links with government.

probably suit Germany or Russia, but must be detestable in every
Country that lays any claim to Liberty". 429 Fears were further
increased when, in late January 1794, reports began to circulate that
Hessian mercenaries had been landed in southern England and that
government was on the point of arming the loyalist associations. On
24 January Maurice Margarot wrote to Thomas Hardy from Edinburgh's
Tolbooth jail stating that "Armed associations are... now set on foot
by the rich", and asking "wherefore should the poor not do the same?
Are you to wait patiently", he chided, "until 20,000 Hessians and
Hanoverians come to cut your throats? - and will you stretch forth
your necks, like lambs, to the butcher's knife, and, like lambs,
content yourself with bleating?". 430 While the London Corresponding
Society did not apparently accept the case for arming, they shared
Margarot's alarm and sense of urgency. On 20 January, at a general
meeting held at the Globe Tavern, they had adopted a spirited and
provocative "Address to the People of Great Britain and Ireland", which
warned that the government had only been rehearsing in Scotland and
Ireland the despotic measures it intended to introduce soon in England.
The address declared that

"Their [ie the Irish and the Scots'] cause then, and ours
is the same; and it is both our duty and our interest to
stand or fall together. The Irish Parliament, and the
Scotch judges actuated by the same English influence, have
brought us directly to the point. There is no farther step

Blair Adam Muniments. General Correspondence, 1794, A-L. Brown and
Freeland were the secretary and president respectively of the Glasgow
"Society of the People Associated to obtain Universal Suffrage and
Annual Parliaments".

beyond that which they have taken; we are at issue. We must now choose at once, either liberty or slavery, for ourselves and our posterity. Will you wait till barracks are erected in every village, and till subsidized Hessians and Hanoverians are upon us?" 431

The same Globe Tavern meeting also resolved, in imitation of the British Convention, that "upon the first introduction of any bill inimical to the liberties of the people... a general convention of the people" would be summoned. 432 Within three weeks the Scots had begun to prepare for a new convention. On 10 February the general committee of the Edinburgh Friends of the People agreed in principle to send two delegates "to the ensuing British Convention", 433 while on 21 March J.B. reported that "Provincial Conventions" had been held in Perth, Fife, and Glasgow to elect delegates. 434 These electoral meetings may have been held in response to a letter from the secretary of the London Corresponding Society, 435 but if this

432. IBID, 1237-1238.
433. J.B. to William Scott, 11 February 1794. NLS. Melville Papers. MS6, ff149-150.
435. In a letter dated 9 April 1794 Alexander Mitchell of the Strathaven Friends of the People referred to a circular letter from Hardy "respecting another British Convention" which had been received "some time ago". The Strathaven radicals met with their colleagues from Kilmarnock, Galston, Newmilns, and Darvel on 1 April to elect a delegate. This would suggest that Hardy's letter had arrived at Strathaven in or before mid-March. Howell, "State Trials", XXIII, 1258. See also the "Declaration of George Mealmaker", 18 June 1794, in which the declarant refers to a printed letter from Hardy which requested the Dundee Friends of Liberty to send a delegate to a future British Convention. This letter, it appears, was received some time in March. Mealmaker's declaration is to be found in Home Office Correspondence (Scotland). RH2/4/76, ff129-138.
was the case then it would appear that Hardy had jumped the gun. It was the end of March before the London Corresponding Society began to make serious preparations for a second British Convention. On 27 March and 4 April respectively, letters were sent to the Society for Constitutional Information and the London Society of the Friends of the People sounding out their opinion on the proposed convention, while, around the same time, circular letters were dispatched to the English 'provincial' societies and the Scots asking them to send delegates. The authorities were later to allege that this proposed convention had a revolutionary objective, but it seems more likely, as A. Goodwin has argued, that the London Corresponding Society intended the convention to act as a deterrent to further acts of governmental 'despotism' by demonstrating radical solidarity and resolution. If this was indeed the intention, then some of the Scots radicals did not share it. In Scotland an insurrection was being planned.

On 20 January 1794 the Sheffield Constitutional Society wrote to the London Friends of the People stating that "from the spirit already manifested by the people of Scotland" there was good reason to fear "that if these unjust severities [ie the sedition trials] are suffered to go on, without some attempt to stop them,  


438. A. Goodwin, op cit, 316-317.
either by Parliamentary enquiry, \(^{439}\) or some other effectual means, the Rabble, the Swine or the Mob, as they are called, may grow desperate". \(^{440}\) The fears of the Sheffield radicals were not groundless. In Glasgow, where Lord Provost Gilbert Hamilton reported that radicalism "seems now to be reviving", \(^{441}\) handbills were found which called upon the people to take up arms in defence of their liberties, \(^{442}\) while in Hamilton a similar handbill, urging the people to "remember the trusty friends in Edinburgh" and advocating the guillotine as a suitable punishment for "Geordy Rex", Pitt, Dundas, and Burke, was discovered. \(^{443}\) In Edinburgh, Thomas the Rhymer's

439. The Scottish sedition trials of 1793-1794 provoked a storm of protest from the Foxite opposition. On 31 January 1794 Earl Stanhope moved that an address be sent to the King urging that the execution of Muir's sentence be deferred until the House of Lords had investigated his allegedly irregular trial. Stanhope's motion was considered to be unparliamentary and it received no support. Parl. Hist., XXX, 1298-1308. The issue was raised in a more regular manner in the House of Commons on 4 February, when William Adam moved for leave to bring in a bill to give the House of Lords an appellate jurisdiction in Scottish criminal cases. The house divided on 'party' lines and the motion was lost by 126 votes to 31. IBID, 1347-1353. On 24 February Richard Sheridan moved to present a petition from T.F. Palmer, which claimed that the sentence imposed on him was "illegal, unjust, oppressive, and unconstitutional", and prayed for "such relief as the House in its wisdom should see fit to afford". The petition was eventually received and read on 27 February, but no action was taken. IBID, 1449-1461. The whole subject was raised once again on 10 March when William Adam moved for a copy of the record of Muir and Palmer's trials to be laid before the House of Commons. Once again Adam's motion was rejected, but, undeterred, he moved on 25 March for a select committee to be appointed to consider a substantial reform in the Scottish law of sedition. This motion too was rejected. IBID, 1436-1576, XXXI, 54-83. An attempt by the Earl of Lauderdale to persuade the House of Lords to order "the production of the papers respecting the trial and sentence of Mr. Muir and Mr. Palmer" met with a similar fate. His motion, of 15 April 1794, was negatived without a division. IBID, 263-287.

440. The Edinburgh Gazetteer, 29 January 1794.


442. Robert Grome to [Henry Dundas?], 19 January 1794. Home Office Correspondence (Scotland). RH2/4/74, ff107-108. The handbills stated - "Countrymen, Countrymen, To Arms, To Arms, or your Liberty is for ever lost".

chilling prophecy of "a bloody Summer - and no king" was in wide circulation. Moreover, within the ranks of the Friends of the People desperate expedients were being discussed. On 9 February J.B. reported that, at a meeting of democrats in Edinburgh, Joseph Gerrald had proposed the establishment of an assassination squad as a preliminary to revolution. Gerrald is reported to have declared - "Give me only six whom I can confide in, with daggers apiece and the business is done!!! Two here - Three in London, and one in Dublin! Nothing is easier than access to the Chambers of the Aristocrates. When they are joyous over their cups - Surfeiting and intoxicating at the expence of the blood and treasure of Millions of British and Frenchmen - nothing is easier than access to them - and thus! - and thus! - and thus!!! The death of such villains alarms the whole country - The Sans Culottes gather and the business is done!!!" The improbability of this plan's success does not seem to have been appreciated by the others present, who agreed with "Citizen Brown... that a measure of this kind would do much better after than before the two trials". The country, they believed, was not as yet prepared for revolution. Some preparations however may already have been made. The Dundee radicals, J.B. reported, "were commissioning pistols from Sheffield, with daggers or bayonets concealed in them, which upon touching a spring started out". One week later Procurator-Fiscal


446. IBID.

447. IBID.
Scott informed Lord Advocate Dundas "that in some of their [ie the Edinburgh Friends of the People's] private meetings, the pistols... & fire arms were spoke of as preparing somewhere in England - Sheffield is supposed to be the place". 448 How far arming had proceeded, if it had started at all, is unknown, but it seems clear that no regular plan of insurrection had as yet been adopted. Nevertheless a vague insurrectionary strategy was beginning to emerge.

On 5 February William Scott wrote to Lord Advocate Dundas stating "that Gerrald as well as Sinclair are very violent indeed... and both of them talk of a French invasion as a thing certain & which they expect will happen very soon", 449 while less than a fortnight later the Lord Advocate reported that "Gerrald makes no Secret of declaring that in his Opinion the Sentences against Muir &c never can be carried into Execution, as the French will be in this Country before that is possible". 450 Although Gerrald claimed to have "commenced a Correspondence with a great Nation, who will not allow me to be sent to Botany Bay", 451 there is no real evidence that the Scots democrats attempted to establish contact with the French revolutionary government. French assistance, they appear to have assumed, would come of its own accord. More effort was put into winning over the Scottish Fencible regiments which were ordered to

448. William Scott to the Lord Advocate, 16 February 1794. NLS. Melville Papers. MS6, ff141-143.


450. Robert Dundas to [Henry Dundas?], 18 February 1794. NLS. Melville Papers. MS6, f139. It might be noted that 'The Edinburgh Advertiser' of 18-21 February 1794 reported that "An Invasion from France [was] now a subject of much speculation".

England in February 1794. This order was a clear breach of the terms of enlistment, under which the Fencibles' service was to be limited to Scotland except in case of actual invasion, but the government expected that the soldiers would be easily persuaded to comply. This expectation was not fulfilled, and by mid-March the government had something approximating to a full-scale mutiny on its hands. The authorities were well aware that the mutiny's origins were not political, but they were worried that the democrats might so exploit the dispute as to 'Jacobinise' the Fencibles and endanger the security of the state. Of the democrats' desire to suborn the military the authorities had no doubt. In January 1794 they had received alarming reports from Glasgow of radical attempts to tamper with the Breadalbane Fencibles and of radical boasts that these attempts had met with considerable success. "A Loyal Subject" wrote to Colonel Cumming of the Breadalbane Fencibles on 15 January stating that "The discontented and rebellious in this town... now inform us that they have gained over all the men on their side, and when the insurrection happens, which they say will be soon, the soldiers th' called out, will at least not do their duty, if they do not join


453. The Fencibles' reluctance to embark on the transport ships owed something to their discontent over the absence of any arrangements for their families, which were to be left behind, but it owed more to a fear that they would be shipped abroad. These facts were made plain in a series of letters from the various regimental commanding officers to Lord Adam Gordon, the Commander in Chief, who passed them on to the Home Office. See the letters from Lt. Col. John Woodford; Col. Johnstone Hopetoun, Col. Sir James Grant, and Lt. Col. Andrew Macdonall to Lord Adam Gordon. Home Office Correspondence (Scotland). RH2/4/75, ff269, 271, 304 and 345.

Cumming passed on this intelligence to Lord Provost Hamilton who, having commissioned "some enquiries", urged the government to order an immediate start to barric construction in Glasgow. Lord Advocate Dundas echoed this request, for, while he believed that there was "no foundation to the alarm", he was "clear that such a Scheme is in the heads of the disaffected". The authorities' apprehensions were soundly based. On 13 May 1794, at a tavern mid-way between Paisley and Glasgow, James Mitchell of the Paisley Friends of the People and two other radical weavers endeavoured "to seduce from their duty & allegiance a Party of recruits belonging to the Regiment raising by the Marquis of Huntley". Whether their behaviour was pre-meditated or spontaneous is unclear, but there can be no doubt of the pre-meditation which lay behind similar attempts in Lothian to tamper with the Earl of Hopetoun's Fencible regiment. Some time around 12 April 1794 the Edinburgh Friends of the People published a handbill "Address to the Fencibles" which, having assured the soldiers that they could not be legally compelled to leave Scotland, promised them that they would be supported by "thousands" of friends if they chose to mutiny. The address stated that "the great mass of the people" were their friends, and not their enemies as had been represented, and added that the people "look for the same friendship and the same sympathy in you".


In part no doubt the address reflected the radicals' fear that foreign mercenaries would be brought to Scotland in order to crush what little remained of liberty, but it reflected also their desire to drive a wedge of mistrust between the soldiers and their commanders, and to win over the Fencibles to "the cause of the people".

The Scottish insurrectionists may have expected French help and hoped for the assistance of discontented Fencible regiments, but they did not rely on either. By late March or early April 1794 they had decided to act on their own. At the third weekly meeting of the Committee of Ways and Means, a seven man council set up in early March 1794 to direct the affairs of the Edinburgh societies, Robert Watt, the former government spy, proposed a daring plan of insurrection. The Fencibles garrisoned in Edinburgh castle were to be lured into the open streets, where they were to be surrounded and disarmed; the Lord Provost and the judges were to be seized; the banks were to be taken over; a proclamation was to be issued instructing all country gentlemen to remain within a three mile radius of their houses, and ordering all farmers and meal dealers to continue supplying the market; and an address was to be sent to the king to dismiss his ministers and put an end to the war. Two members of the committee later claimed that they had opposed this plan, but their opposition, if such it was, proved ineffectual, and preparations

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460. If the Fencibles should agree to leave Scotland, the address warned, the people "may soon see their country overrun by foreign troops, such as in time past have already shed the blood of your ancestors without provocation, and without remorse". That the radicals were referring not to the French but to the Hessian and Hanoverian troops in the pay of the British government is made clear by a reference to "foreign mercenaries". IBID, 1260-1261.

461. IBID, 1269-1271.

for the insurrection went ahead. At least two radical smiths, Robert
Orrock and William Brown, were commissioned to manufacture pikes, and a number of emissaries, including John Fairley and Archibald Wright of Edinburgh, and Peter Craig of Perth, "were sent at different times through the country to sound the public mind, and to give instructions". The intelligence reports submitted by these emissaries were, Watt stated later, "more and more favourable", and by mid-May he believed that "there remained almost nothing to do, for the execution of the whole, but a visit to England and Ireland, by intelligent and confidential persons". It may be doubted if the scheme was as near fruition as Watt claimed. Despite assiduous searches the authorities found no real evidence that the 'provincial' radicals were either in possession of weapons or manufacturing them. What they did discover however was alarming evidence of widespread disaffection. From both Perth and Paisley came reports that the radicals were meeting secretly in order to learn military drill. The Perth democrats, it was discovered, had ordered 4,000 pikes from Edinburgh, while in Paisley, John Fairley reported, the democrats were "in a state of great readiness". In East Lothian, the Marquess

464. IBID, 1399. Peter Craig, it might be noted, was later an active member of the Perth society of United Scotsmen. William Scott to the Lord Advocate, 3 December 1797. EUL. Laing Manuscripts. Division II. No.500-501.
469. IBID, 1272.
of Tweeddale found "a desperate, sullen, and factious spirit of impatience and of discontent, in the minds of a not altogether contemptible number, of the lowest class of people". The Marquess was not sure if the rebels were armed, but he informed Home Secretary Dundas that "moulds for casting bullets of different sizes made of Potters-clay have been found", and that a rumour was sweeping the county "that there is to be a rising of these people upon his Majesty's next Birthday". Moreover, he added, "Private nocturnal meetings have been regularly held for some months back... particularly at Linton Bridge and in that neighbourhood", where, it seemed, the democrats "are now subdivided and arranged under their several leaders".470 Government's alarm was further increased with the discovery, in early June, that certain individuals in Colonel Fullarton's mutinous regiment of dragoons were engaged in "a very seditious and treasonable correspondence with persons in the town of Paisley".471 These individuals, of whom Private Walter Maclachlan appears to have been the most prominent, were also, it appears, in correspondence with fellow radicals serving in the Marquis of Huntly's regiment.472 It is impossible to gauge how much support the insurrectionists might have received from either the military or the civilian population, but it seems clear that the authorities were perfectly justified in taking the alarm.

The government had no idea of what was afoot in Scotland


until 15 May, when a search for property belonging to a bankrupt revealed twelve pike heads concealed in Robert Watt's house. Within days of this chance discovery effectual measures were taken to crush the conspiracy. Troops were dispatched to the notorious democratic stronghold of Paisley, and radical leaders in Edinburgh, Glasgow, Paisley, Perth, Stirling, and Dundee were arrested. Two of those arrested were to be tried and convicted of High Treason, while most of the others were to spend the next six months or more in jail. None of the latter were formally charged with any crime. They were held without trial under warrants issued by Lord Advocate Dundas, whose extraordinary authority was derived from the act, passed on 23 May 1794, suspending the Act anent Wrongous Imprisonment of 1701. These swift and draconian measures introduced Scotland to what has been most aptly termed the Tory 'Reign of Terror'. It would be almost three years before the democratic radicals began to recover and re-organise.


475. Robert Watt and David Downie. For Watt's trial see Howell, "State Trials", XXIII, 1169-1404, and for Downie's see Howell, "State Trials", XXIV, 1-198. Watt was executed on 15 October 1794, but Downie, having been granted successive respites, was pardoned in March 1795 on condition that he served one further year of imprisonment and then banished himself furth of Great Britain. 'The Caledonian Mercury', 4 April 1795. Downie was finally liberated on 12 March 1796, and on 7 April he embarked for the USA. 'The Scots Chronicle', 16 March 1796, and 30 August 1796. For an interesting account of why Downie was granted a pardon, see C. Johnson. "David Downie : A Reappraisal", in The Innes Review, XXXI, (1980), 87-94.

476. It should be noted that the bill to give the authorities sweeping powers of arrest without trial was first introduced because of the government's alarm at developments in England.
CHAPTER SIX

CONCLUSION

The insurrectionary scare of 1794 threw both government and the propertied classes into an "absolute frenzy" of alarm and led to a further tightening of the screw of political repression. The authorities harassed radical activists and imprisoned many of their leaders without trial, while loyalists boycotted the shops of suspected Jacobins and dismissed the allegedly disloyal from their employ. Moreover, Volunteer corps were formed from among "Men of Property & Character" in virtually every burgh and county in lowland Scotland to

1. The phrase was employed by Andrew Dalzel (1742-1806), Professor of Greek in the University of Edinburgh, in a letter written to William Adam, the opposition MP, on 3 July 1794, in which he sought to describe the "infatuation" prevailing among Scotland's 'political nation'. Dalzel believed that "the delusion & absurdity of the higher ranks in Society here has proceeded much further than it has done in England". Blair Adam Muniments. General Correspondence, 1794, A-L. The Rev. Thomas Macknight's reaction to the discovery of the 'Pike Plot' was typical of those whom Dalzel criticised. The minister of Trinity Church Leith opined that "had not Providence, almost visibly, interposed on our behalf, to reveal a hidden mystery of iniquity... the sunshine of our peace and internal felicity might, ere now, have vanished for ever, in the clouds of confusion; many of us, who now live to bless heaven for the signal deliverance, might have yielded our lives to the assassin's dagger". T. Macknight. "The Means of National Security Considered as a Ground of Thankfulness to Divine Providence. A Discourse Addressed to the Volunteers of Leith, on the 23rd Nov. 1794; and Published at their Request". (Edinburgh, 1795), 4.

2. The first regiment of Royal Edinburgh Volunteers was so described by Henry Dundas in a letter to Henry Addington, dated 26 September 1802. Melville Papers. University of Michigan, Ann Arbor. The social composition of this regiment was not unrepresentative. The Royal Paisley Volunteers were men of "principles, property, and respectability of character", while in Leith the local volunteer corps was composed of "Heritors, Merchants, Shipmasters, and other principal inhabitants". "The Caledonian Mercury", 6 November and 18 September 1794. Where the poor were allowed to join this political police force, the usual practice was to have prospective volunteers vetted by the deputy lieutenants for any signs of political heterodoxy or to require them to sign declarations of their political principles. See, for example, the resolutions of the Fife, Roxburghshire, and Dumbartonshire county meetings of 23 June, 30 and 31 July 1794. "The Edinburgh Evening Courant", 28 June and 9 August 1794.
intimidate the radicals and "crush the spirit of sedition". Such was the scale and intensity of this repression that George Mealmaker could write of a "new system of terror... carried on... by our English Robespierrians". While the methods of the British 'terrorists' were less sanguinary than those of their French counterparts, they were scarcely less effective. In the face of Tory Terror the shattered remnants of the democratic movement took fright, broke ranks, and fled the political field. In October 1795 Robert Sands of the Perth Friends of the People wrote to John Ashley, the secretary of the London Corresponding Society, stating "that we have not had any public meetings since ever the leading members... were apprehended in May 1794", and reporting that "the people cannot get their mind spoke freely, for they are so kept in awe by a banditti of armed ruffians, that the least word spoke in public becomes dangerous." Some radicals, despairing of the situation, emigrated, but most waited in prudent silence for


6. Many of these political emigres went to the United States of America. A. Hook. "Scotland and America: A Study of Cultural Relations, 1750-1835". (Glasgow and London, 1975), 240-241. Alexander Wilson, the Paisley radical weaver, who emigrated to "the asylum of the unfortunate" in May 1794, found that -

"Here no proud lordling lifts his haughty crest, No scoundrel landlord tramples the opprest, No thief in black demands his tenth in Sheaves".

circumstances to change and for new opportunities to emerge.7

By early 1797 the situation had so altered as to offer the radicals, or rather the revolutionaries, new hope. The coalition of continental powers which had been assembled to overwhelm France was in total disarray, and, with the revolutionary republic established as the master of continental Europe, it seemed that it would only be a matter of time before the Directory ordered an invasion of the British Isles. French intentions had been attested by General Hoche's expedition to Bantry Bay in December 1796, and by the so-called 'Black Legion's' invasion of Wales in February 1797.8 For the first time, it seemed, British and Irish revolutionaries could expect rather than merely hope for French assistance. Moreover the mutiny of the Channel fleet at Spithead in April 1797 and of the North Sea fleet at the Nore in the following May raised doubts about the Royal Navy's loyalty and the possibility that a French invasion fleet would meet with little or no resistance.9 Britain's increasing vulnerability led to a financial panic. The first two months of 1797 saw the collapse of several country banks and a dramatic fall in the Bank of England's gold reserves which forced the Privy Council, meeting in emergency session on 27 February, to take Britain off the gold standard.10

7. The Earl of Lauderdale commented, on 1 November 1794, that "when they [ie the people] look on the one hand to the apparent strength of Ministers, on the other to the desperate domestic uses made of it, necessity and prudence equally lead them to be silent". Earl of Lauderdale. "Letters to the Peers of Scotland by the Earl of Lauderdale". (London, 1794), 254.

8. Hoche's expeditionary force was dispersed by a fierce storm without ever setting foot on Irish soil, while the ramshackle force led into Wales by an American named William Tate was easily routed.


confidence was swiftly restored, but many radicals remained convinced that economic collapse had only been delayed. Some believed with John Sword of Glasgow that the ever increasing tax burden would make British goods uncompetitive and lead to national bankruptcy, while others, following Paine, prophesied that the economy could not sustain indefinitely a government budget deficit which had risen from £4.4 million in 1793 to £36.2 million in 1796. Evidence of the coming catastrophe was seen by many in a deepening recession which was particularly marked in the cotton industry where the relative prosperity of 1794-1796 had given way to slump and unemployment. The growing crisis led to renewed demands for peace and reform, with the opposition orientated 'Scots Chronicle' declaring on 24 February that "Nothing can save us from ruin but an entire change of men and measures". Petitions, promoted by Foxite Whigs and anxious businessmen, were raised

11. For John Sword's views, see three of his letters to George Walker of Washington, dated 10 October 1796, December 1795, and 30 January 1796, and also a letter to John Thomson, dated 24 October 1796, copies of which are to be found in Home Office Correspondence (Scotland). RH2/4/84, ff251-254, 259-264, 264-269, and 270-275. Sword's disenchantment with the government's economic and political policies led him to contemplate emigration. Hearing of "some very lucrative speculations in France", he journeyed with Benjamin Sword, his brother, to that country in the autumn of 1797, returning to Scotland early in 1798. The Scottish authorities believed that he might have been an agent of the United Scotsmen and had him, and his brother, arrested in May 1798. It is almost certain however that the Swords' mission to France was inspired by business rather than political considerations. For a discussion of this fascinating case, see H.W. Meikle. "Two Glasgow Merchants in the French Revolution". The Scottish Historical Review, VIII, (1911), 149-158.

12. A.D. Gayer, W.W. Rostow, A.J. Schwartz, op cit, 44. The figures given are combined totals for Great Britain and Ireland. Paine's criticisms of government financial policy were outlined in his provocatively entitled "Decline and Fall of the English System of Finance", which first appeared in 1796.


in Edinburgh, Glasgow, Paisley, Rutherglen, Dundee, and Dunfermline asking the king to dismiss Pitt's ministry as the necessary first step towards peace, the retrenchment of government expenditure, the restoration of constitutional liberties, and parliamentary reform. These petitions appear to have won a measure of popular support, but they were strenuously opposed by the great majority of the political nation who remained staunchly loyal to Pitt's ministry and its policies. That recent crises had failed to convince the governing classes and their parliamentary representatives of the need for a change in policy was well illustrated by the resounding defeat in the House of Commons, on 23 and 25 May respectively, of two Foxite motions for the repeal of the 'Two Acts' and for leave to bring in a parliamentary reform bill. Shortly thereafter the Foxite opposition threw in the towel, seceded from parliament, and retired to the comforts of their estates. In the light of these developments further constitutional agitation appeared pointless, and increasingly the radical poor came to consider the revolutionary alternative. By the summer of 1797 the United Scotsmen, a secret revolutionary organisation modelled

15. The Scots Chronicle, 31 March, & 4, 11, 14, and 21 April 1797.

16. The Edinburgh petition was subscribed by nearly 11,000 people. 'The Scots Chronicle', 25 April 1797.

17. 36. Geo. III. c7, "An Act for the Safety and Preservation of His Majesty's Person and Government against treasonable and seditious Practices and Attempts ", and 36. Geo.III. c8, "An Act for more effectually preventing Seditious Meetings and Assemblies". These acts, which had become law on 18 December 1795, were designed to suppress the English radical movement which had revived during the autumn of 1795. Popularly known as Pitt's 'Gagging Acts', these measures succeeded in their purpose. Both applied in Scotland as well as England.

18. Fox's motion for the repeal of the 'Two Acts' was defeated by 260 votes to 52, while Grey's motion for leave to bring in a parliamentary reform bill was negatived by 256 votes to 91. Parl. Hist. XXXIII, 639 and 734.
on the United Irishmen, had begun to establish a significant presence in the old radical strongholds of lowland Scotland.

There can be no doubt that the passing of the Scottish Militia Act on 19 July 1797 further stimulated the growth of the United Scotsmen. This act was popularly resented as class-biased and oppressive, and it provoked fierce, prolonged, and widespread resistance. The United Scotsmen played some part in orchestrating that resistance, but it does not appear that their involvement was motivated by a desire to rush their ill-organised countrymen into open revolt. Angus Cameron, a United Scotsman who took the leading part in the Perthshire disturbances, may have talked about arming the people and fighting a guerilla campaign, but there is precious little evidence of serious insurrectionary preparations. Efforts were directed not at procuring weapons but at preventing the implementation of the hated militia act and at organising

19. A comparison of the two societies' constitutions reveals the organisational debt owed by the United Scotsmen to the United Irishmen. For the latter's constitution, see "The Report from the Secret Committee of the House of Commons, with an appendix", (Dublin, 1798), 46-51, and for the former's, see the "Report from the Committee of Secrecy of the House of Commons relative to the Proceedings of different Persons and Societies in Great Britain and Ireland engaged in a Treasonable Conspiracy", Parl. Hist, XXXIV, 654-656.


petitions praying for its repeal. The revolutionaries, it seems, sought to utilise the ferment created by the militia act in order to establish their leadership credentials within plebeian communities, popularise their cause, and extend their organisation in preparation for a future insurrection. In so limiting their immediate objectives the United Scotsmen acted wisely, for without the assistance of the veteran armies of France an uprising would almost certainly have ended in bloody failure.

While it may be doubted whether the United Scotsmen were as insignificant as some historians have argued, it does not appear that they ever succeeded in attracting a mass membership. In part, no doubt, this failure owed something to the natural reluctance of many to risk everything in a desperate revolutionary gamble, but it owed much also to the unpopularity of the political principles espoused by the United Scotsmen. Whereas the Friends of the People had prudently

23. It is interesting to note that John Aitken, a member of the Cupar society of United Scotsmen, attended a delegate meeting of the parishes of Fife and Kinross on 8 September 1797, and was appointed a member of a committee entrusted with preparing a petition against the act. K.J. Logue, op cit, 113. Moreover Angus Cameron addressed the people of Kenmore on 10 September 1797, calling upon them to join with the people of Grandtully, Strathay, Atholl, Foss, Rannoch, Glenlyon, and Breadalbane at Glenlyon House in order "to form and make out a Petition to the King and Parliament for repealing the Militia Act". When it was objected that "their Petition would not be regarded, Cameron said it certainly would be attended to when a Million of people were concerned". Declaration of Ewen McDougall, 27 September 1797. AD 14/25/127. The motives which lay behind Aitken and Cameron's involvement in this prospective petitioning campaign may only be guessed at, but it may be that they expected the petitions to be rejected and intended that rejection to serve as a political lesson in the futility of constitutional action and the necessity of revolution.

24. H.W. Meikle argued that "The organisation of the United Scotsmen existed largely on paper", stating that the society "never amounted to more than a few hundreds of 'the lowest order'." H.W. Meikle. "Scotland and the French Revolution", 192. Meikle's assessment is, however, hard to square with the evidence, which suggests that the United Scotsmen succeeded in establishing societies in most of the towns and villages where the Friends of the People had been active. That Meikle should have chosen to ignore this evidence is probably to be explained by his strong Whig prejudices.
refrained from identifying themselves too closely with either Paineite republicanism or rational religion, the United Scotsmen proclaimed their commitment to both, thereby alienating themselves from large numbers of potential supporters. Although many artisans were attracted to republicanism by the arguments of Paine and others, the unhappy history of republican France repelled the majority of the common people and served to reinforce their habitual attachment to the principles of the British constitution. Moreover, while there was undoubtedly some exaggeration in the claim that, even at the end of the century of 'enlightenment' the masses were still prepared to welcome the theocracy as well as the theology of the Covenant, there can be no doubt that the United Scotsmen's well known reverence for Paine's 'Age of Reason' and their calls for church disestablishment shocked the Calvinist 'lower orders'.

In view of the weakness of their position, a good case could be made out for the United Scotsmen joining with their English and Irish allies in looking to France for help. Indeed, only by making hugely optimistic assessments of the level of their popular support, the

25. It is significant that many militia rioters emphasised their loyalty to king and constitution. For example, John Stewart of Dull (Perthshire) told Sir John Menzies of Castle Menzies that "the people are not against the King and Government". Declaration of John Stewart, alias McCulloch, 2 October 1797. JC26/295.


27. For example, Paine's 'Age of Reason' was "produced, read and approved" at meetings of a society of United Scotsmen in Dunfermline. Howell, "State Trials", XXVI, 1182.

28. See George Mealmaker's "The Moral and Political Catechism of Man; or, a Dialogue between a Citizen of the World and an inhabitant of Britain". (Edinburgh, 1797), a copy of which is to be found in Home Office Correspondence (Scotland). RH2/4/83, ff27-40.
success of their attempts to suborn the military, and the ease with which weapons could be procured from military armouries, could the United Scotsmen contemplate rising without at least the promise of immediate French aid. While the willingness of some revolutionaries to deceive themselves and others as to the reality of their situation should not be underestimated, it seems reasonably clear that such irresponsible enthusiasts never succeeded in winning lasting control over the movement. Nevertheless it may be doubted whether the supporters of French intervention had things entirely their own way. The territorial expansionism of revolutionary France, its economic exploitation of 'liberated' territories, and its political domination of the nominally independent Batavian, Cisalpine, and Ligurian republics, gave Scots revolutionaries good reason to suspect that the 'grande nation' would prove less than fraternal in its dealings with a 'liberated' Scotland. Some English and Irish revolutionaries had doubts about the wisdom of involving France in their struggle, and it can hardly be doubted that the more thoughtful of the United Scotsmen would have experienced similar doubts. The revolutionaries' nightmare was that they might end up exchanging the tyranny of 'Old Corruption' for that of the Directory and its generals. This fear was shared by the bulk of the plebeian population, whose early enthusiasm for the French revolution had turned to disillusionment. That the French were feared as much by the propertyless as by the propertied is amply

29. Walter Brown of Cupar deponed at George Mealmaker's trial that he had been told by local United Scotsmen that "they had about 100,000 of the army now in England engaged". Howell, "State Trials", XXVI, 1153.

demonstrated by the eagerness with which the former came forward to join the new volunteer companies during the first quarter of 1797 and by the generosity of their contributions to the voluntary subscription fund raised for the support of government in 1798. Not untypical in this respect were the 144 employees of the Duntocher spinning mill who, in early 1798, subscribed £15 4/4 d to government and offered their "personal service in any part of the county of Dumbarton, if our enemy should have the temerity to set foot in our happy country." Nevertheless, despite the strength of popular anti-French feeling and the fear that they might be mounting a tiger, the national committee of the United Scotsmen apparently decided that there was no realistic revolutionary alternative to enlisting the aid of the French. If things went according to plan, democracy would be introduced to Scotland at the point of a French bayonet.

Throughout the summer and autumn of 1797 the revolutionaries believed that a French invasion was imminent. This belief, which was

31. Principal George Hill of St. Andrews wrote to the Rev. Dr. Alexander Carlyle on 21 March 1797 complaining that, while the volunteer corps raised in 1794 had been "an armed Aristocracy", the "Corps of Volunteers now forming in all the Boroughs are a promiscuous armed Democracy". EUL. Letters to Dr. Alexander Carlyle. Dc.4.41, f81.

32. Many of the parochial subscription lists were published by the loyalist "Herald and Chronicle".

33. The Herald and Chronicle, 8 March 1798.
based upon information received by the United Irishmen, was not groundless, for preparations were going ahead on the continent for a descent upon the British Isles. These preparations were centred on Holland where, in August 1797, a daring plan was conceived to employ the Batavian fleet to transport a force of 15,000 men over to Scotland and thence to Ireland, where they were to be reinforced by another 15,000 troops from Brest. General Hoche, the commander of the Armée de Sambre et Meuse, doubted the practicality of the existing plan, but promised to give it his serious consideration. However, Hoche died on 9 September before he could suggest improvements, and the whole project had to be abandoned when Admiral Duncan's fleet annihilated the Batavian navy at Camperdown on 11 October. Drooping revolutionary spirits were subsequently raised by the formation of the Armée d'Angleterre and by the prospect thereby created of a spring invasion led by the 'hero of Italy', Napoleon Buonaparte. Some revolutionaries were reluctant to wait that long, and there appears to have been some

34. In late spring or early summer a letter was received by the national executive committee in Dublin "assuring us that the French would come again, and requesting that a person should be sent over to make previous arrangements". "Memoir of the State Prisoners: Arthur O'Connor, Thomas Addis Emmett, and William J. McNevin'. ed. Marquess of Londonderry. "Memoirs and Correspondence of Viscount Castlereagh, second Marquess of Londonderry", I, (London, 1848), 368. It is probable that such information would have been swiftly communicated to the United Scotsmen, for contact between the Irish and Scots revolutionaries had long been established. For example, in early 1797 an Ulster county (Antrim?) committee meeting was informed that "four new societies [had been] organized in Scotland". "The Report from the Secret Committee of the House of Commons, with an appendix". (Dublin, 1798), 82. What is certain, is that the United Scotsmen would have been fully briefed by a delegate who met James Coigley, the United Irishmen's emissary charged with making "arrangements" in Paris, while he was in London to confer with "the chief revolutionary committee of England". This meeting took place some time between the end of June and 4 October 1797. Arthur McMahon and James Coigley to the Executive Directory of the French Republic, 13 Vendémiaire, an 6. Ministère des Relations Extérieures Archives Diplomatiques, Paris. Correspondance Politique (Angleterre), 592, f43.

support in Scotland for the idea of a mid-winter insurrection. 36

However, as in Ireland, where the idea had been championed by Arthur O'Connor, the impetuous elements within the movement lost out to those who urged a delay until April 1798 when the promised French descent was expected to take place. 37

It would appear that until the arrival of Thomas Muir in France in December 1797 38 the United Scotsmen had relied upon the United Irishmen's emissaries in Paris to put their case to the Directory. This placed the Scots at some disadvantage, for the United Irishmen were primarily concerned with persuading the French of the wisdom of concentrating their efforts upon the liberation of Ireland. However the Irish emigre community was badly split between those led by James Napper Tandy (1740-1803) who wanted French aid to be given mainly in the form of arms and ammunition, and those led by Theobald Wolfe Tone (1763-1798) who emphasised the necessity of sending a sizeable number of troops. 39 Sensing his opportunity, Muir gave his not inconsiderable  


37. "Some time in the beginning of this year [ie 1798], a letter was received [by the United Irishmen] from France, stating that the succours might be expected in April". 'Memoir of the State Prisoners: Arthur O'Connor, Thomas Addis Emmett, and William J. McNevin'. ed. Marquess of Londonderry, op cit, 370. In February 1798 the Leinster Directory of the United Irishmen were informed that the English and Scots revolutionaries were preparing to co-operate with the planned French invasion. R.B. McDowell, "Ireland in the Age of Imperialism and Revolution", 594-595.


support to Tandy, thereby incurring Tone's wrath, and began sending memorials to the Directory arguing the case for a French invasion of Scotland. He argued that the Scots were anxious to break the chains of English rule and establish an independent republic, and informed the Directory that, while he had heard Irish emigres say they did not want a French army in Ireland, the Scots would welcome the arrival of French troops. All Muir's efforts came to nought, for, in the meantime, French commanders had reported adversely on the prospects for an invasion of the British Isles, and French interest had switched to the middle-east, where it was believed the war against their old enemy could be prosecuted more successfully. On 19 May 1798 Napoleon Buonaparte set sail for Egypt.

Four days later, believing that further delay would only serve to enable the authorities to crush their organisation, the United Irishmen rose in revolt. Ill-organised, badly co-ordinated, and poorly supported, the insurrection was doomed to failure unless France sent speedy and substantial assistance. However, General Humbert's pathetically small force of 1,000 men did not arrive until 22 August, by which time the rebellion was virtually over. The tragic outcome of the Irish rebellion taught the Scots some hard lessons. The loyalty of


44. R.B. McDowell, "Ireland in the Age of Imperialism and Revolution", 603-651.
the crown's forces (including Scottish regiments) in Ireland strongly suggested that little or no reliance could be placed upon military support for the revolutionary cause, while the failure of the United Irishmen to get more than a small percentage of their nominal membership into the field warned the Scots of the difficulty of persuading ill-armed civilians to challenge a well-equipped army. Most importantly of all, the inability or unwillingness of France to provide more than token support for the Irish insurgents must have disabused many Scots revolutionaries of the idea that the 'grande nation' was likely to send a massive army of liberation in the foreseeable future. It was the failure of the Irish rebellion, more than the arrest of a few relatively unimportant activists, 45 which, by seriously damaging the United Scotsmen's morale and virtually destroying their credibility, sent the revolutionary movement in Scotland into decline. With no realistic prospect of French intervention in strength and with the terrible fate of the Irish insurgents to warn them of the dangers of going it alone, many would have concluded that revolutionary conspiracy had become a pointless as well as dangerous activity.

45. The authorities never succeeded in penetrating the meetings of the national executive committee in Glasgow, and, with the exception of George Mealmaker of Dundee and Archibald Gray of Irvine, none of the activists arrested between November 1797 and May 1798 appear to have held important offices within the United Scotsmen's organisation. Mealmaker, who played an important part in organising the United Scotsmen in Fife and Angus, was arrested in November 1797 and, having been convicted of sedition, was sentenced to 14 years transportation on 12 January 1798. Howell, "State Trials", XXVI, 1135-1164. Archibald Gray, an Irvine warehouse keeper, was arrested in March 1798 and charged with being "an active and leading member" of the United Scotsmen. He was alleged to have recruited men into the society, sent emissaries on recruiting campaigns, and chaired a delegate meeting of the society at Kilmarnock in April 1797. Criminal Letters: H.M. Advocate agst Archibald Gray. JC26/294. Rather than stand trial, Gray fled to Strathaven, where he worked incognito as a weaver until May 1802, when he surrendered himself to the authorities. Charles Hope to Lord Pelham, 25 May 1802. Home Office Correspondence (Scotland). RH2/4/87, ff168-170.
Despite the setbacks of 1798, the United Scotsmen did not disappear from the political scene. Clinging tenaciously to the hope that France would eventually come to their aid, at least some of the United Scotsmen resolved to maintain their organisation. It is impossible to form any estimate of their numerical strength, but their failure to radicalise the discontent provoked by the near-famine conditions of 1799-1801 suggests that, outside their heartland around Glasgow, their influence was slight. Nevertheless, the apparent weakness of their position does not seem to have diminished their optimism. Even when the Peace of Amiens of 27 March 1802 seemingly removed all hope of French assistance, the United Scotsmen soon got over their disappointment and began to plan "a general uprising". Nothing came of this plan, but revolutionary optimism was soon refuelled by

46. Only in the west of Scotland has evidence been found suggestive of radical involvement in the food riots of 1800-1801. On 13 November 1800 the Earl of Eglinton wrote to Lord Advocate Dundas stating "that Meal was only the pretext, [for] some most inflammatory and seditious Handbills were put up in several parts of the County [i.e. Ayrshire]", while on 16 November 1800 William McDowall of Paisley warned that "the spirit of 1794 has burst forth, and politics is mixed with the present scarcity to excite the disaffected to tumult & insurrection". McDowall enclosed a handbill which called upon the people of Paisley to "come boldly forward with one determined voice and let our oppressors know we neither will nor can longer suffer under the dreadful and exorbitant Monopoly of the necessaries of life by the scourge of a set of despicable and hardened wretches who waste our money and shed our blood and now are endeavouring to starve and drive to misery and destruction the laborious part of the nation". Home Office Correspondence (Scotland). RH2/4/86, ff274-275, 283-285, and 280. It might also be noted that on 3 May 1800 the Lord Provost and Magistrates of Glasgow offered a reward of 20 guineas to any person who should apprehend William Paton, a Saltmarket printer, who had allegedly composed, printed, and published "a Seditious Handbill, desiring the inhabitants to meet in the High Green of Glasgow this day under the pretext of considering the High Price of Provisions, and taking measures for remedying the evil". 'The Caledonian Mercury', 17 May 1800.

47. The plan involved seizing "the arms of the disembodied Militia, Fencibles, and Volunteers which (as in England) they supposed would be left in the County Towns under the charge of H.M. Lieutenants and of course would be an easy prey". It was possibly in consequence of the preventive action taken by the authorities, who arranged to have all the weapons stored in "one or other of the Forts in Scotland", that the plan was abandoned. Charles Hope to Henry Dundas, 21 September 1802. Melville Papers. University of Michigan, Ann Arbor.
the recommencement of the war in May 1803 and by Napoleon's subsequent preparations for an invasion of the British Isles. On 4 August 1803 Lord Advocate Charles Hope (1763-1851) reported that "the Societies here are all alive again", and warned that, while he did not believe the United Scotsmen were numerically "formidable", any insurrection in Ireland or French descent upon the east coast of Scotland would greatly endanger "the tranquility of the West of Scotland". However, as in 1797-1798, the project of a French backed insurrection had only limited popular appeal. Revolutionary France's sad decline into military despotism, which was signposted by the coup d'etat of 9-10 November 1799 and by the proclamation of Napoleon as emperor of the French on 18 May 1804, "opened the eyes of those who used to see nothing but liberty in the French revolution". Popular disillusionment with France was complete, and, much to Lord Advocate Hope's surprise, "all Ranks" rushed forth "to take their own share in the general Defence".

John Younger of St. Boswells was probably not untypical of Scots radicals. He had no time for the empty patriotic rhetoric of the loyalists and wished passionately for the downfall of the old regime, but he detested Napoleon Buonaparte, "that most insolent of all upsetting scoundrels", and, when the alarm was raised, he marched off with his Volunteer unit to Kelso to defend "our gentry's precious island".


51. J. Younger. "Autobiography of John Younger, shoemaker, St. Boswells". (Kelso, 1881), 220-233. "I recollect", Younger wrote, that "I was very desirous of the downfall of that most insolent of all upsetting scoundrels, Buonaparte, who had the consummate impudence to set himself up as the stationary pivot, upon which was to turn the affairs of the universe,... and to look upon men generally as no mere man has a right to look upon mere maggots".
evidence of continuing United Scotsmen activity was periodically uncovered, it was only with the end of the long desperate war against Napoleonic imperialism that Scottish radicalism was to revive.

By the early 1800s, it must have seemed to many democrats that the heroic struggles of the 1790s had been to no avail. The democratic millennium remained unachieved after more than a decade of constitutional agitation and revolutionary conspiracy, and even its prospect had receded almost out of sight, having once seemed so near. 'Old Corruption', fortified by the support of a panic-stricken middle class and ruthlessly defended by a repressive government and legislature, appeared more firmly entrenched than ever. Yet appearances were deceptive. Beneath the surface calm of politics in the first decade and a half of the nineteenth century lay not only a small number of revolutionary conspirators but also a great mass of men whose hearts and minds had been won over to the democratic cause in the 1790s, and who, when circumstances changed, would be ready to stir once more and demand their rights. When, in July 1815, Major John Cartwright (1740-

52. In July 1807 papers relating to the Defenders, a secret revolutionary organisation presumably formed by emigre Irish catholics, were found near Kilmarnock. Home Office Correspondence (Scotland). RH2/4/92, ff70-74. In 1811 further discoveries were made. On 6 September 1811 Lord Advocate Archibald Colquhoun reported that "the Association seems to extend to England and Ireland. From the last it seems to have originated and many Irishmen residing in Scotland are members of it, as well as natives of this country. I have got what bears to be a copy of the articles of the Defenders... and the names of some Committee men or leading Members". A. Colquhoun to Richard Ryder, 6 September 1811. Home Office Correspondence (Scotland). RH2/4/98, ff336-337. By 19 February 1812 Colquhoun was satisfied that "no immediate danger was to be apprehended with respect to the disturbance of the public peace or any act of violence", and "deemed it sufficient to adopt such measures as were calculated to give me such information as would enable me to know if the Association should attempt to reduce itself into a more regular form, or to proceed to any acts inconsistent with the preservation of the public peace or the safety of the Government of the Country". A. Colquhoun to Richard Ryder, 19 February 1812. Home Office Correspondence (Scotland). RH2/4/98, f176.
1824), the veteran radical reformer, arrived in Scotland to campaign for reform, he discovered that he was preaching to the converted. Across the length and breadth of lowland Scotland, "from Lanark and Greenock to Edinburgh and Aberdeen", he found "an unequivocal desire on the part of the mass of people... to promote reform by signing petitions". 53

The links connecting the radical agitation of the 1790s with that of the post-war period are both many and strong. Many of those radicals who had been most active in the earlier phase of the movement reappeared on the political scene in 1815 and 1816 and resumed their activities. Old radicals such as David Johnston, in Perth, and William Moffat, Muir's friend in Edinburgh, assisted Major Cartwright during his missionary tour of Scotland in 1815, while it was Archibald Hastie who chaired a meeting in Paisley, in October 1816, to demand universal suffrage and annual parliaments. 54 Just as the political demands of men like Hastie had not been altered by the passage of more than twenty years, so the arguments led in their justification remained virtually unchanged. Post-war radicals echoed the Friends of the People in charging the crown and the aristocracy with having destroyed the ancient democratic constitution, and with having employed their illegitimate political power to further their own interests at the expense of the unrepresented poor. As in the 1790s, the economic distress of the poor was blamed on the corn laws and the excessive taxation which an unrepresentative and corrupt parliament had foisted on the nation. 55 There was no suggestion that poverty might owe

53. Quoted in W.M. Roach. "Radical Reform Movements in Scotland from 1815 to 1822 with particular reference to events in the West of Scotland". (University of Glasgow, Ph.D., 1970), 21.
54. IBID, 21-22, 38.
55. IBID, 38-49.
something to the economic system, and no hint that capitalist employers as well as "grasping aristocrates" might be the enemies of the poor. Property rights remained sacrosanct, and when, on 1 April 1820, a proclamation was issued in Glasgow declaring the formation of a provisional government, it was stressed that the insurgents were demanding "Equality of Rights (not of property)." In the Paineite view, an 'equality of rights' necessitated not only the introduction of universal manhood suffrage but also the destruction of hereditary privilege, but, while some radicals agreed that there were to be no king, lords, or gentry in the new democratic state, the proclamation of 1 April 1820 declared that the insurgents were loyal to the crown.

Many but not all democratic radicals were republicans, and, as in the 1790s, it would appear that the leadership were not prepared to risk losing popular support by declaring their outright hostility to the monarchy or, for that matter, the House of Lords. In other areas of policy too, the tactics employed by the post-war radicals closely parallel those of their predecessors. The radical activists of 1816-1817, like those of 1792-1793, deplored "all tumultuous and riotous proceedings as unworthy of the character of Scotchmen", and placed great emphasis upon the need for radicals to silence their critics by attending "strictly to the principles of moral virtue". As in the 1790s, the radicals placed a high value on political education. The Union societies, which were established in Scotland in 1819, were

58. IBID, 51.
59. IBID, 180.
dedicated to the dissemination of political knowledge. Only when the people were freed from the shackles of their ignorance, it was believed, would they come forward in an irresistible mass to demand their rights. How they were to ensure that parliament acted upon these demands, was a problem which vexed the post-war radicals as much as their predecessors. At first, most radicals appear to have believed that parliament would be persuaded to accede to their demands by the sheer weight of public opinion expressed in the form of petitions. As in 1793, however, the House of Commons rejected their petitions, and the radicals began to contemplate alternative tactics. Some consideration was given to waging an economic war on government, with reformers abstaining from the consumption of heavily taxed goods such as tea, tobacco, and spirits, but, after the savage affair at 'Peterloo' and the passing of the infamously repressive 'Six Acts' in 1819, the radicals, fearing that despotism was near at hand, began to turn their minds increasingly to thoughts of insurrection. Somewhat in advance of general radical opinion, certain groups of radicals in the west of Scotland had decided upon a revolutionary course of action and had begun to establish a secret organisation as early as 1816. With their cellular organisational structure, their weekly membership subscription of 1d., their secret signs and handshakes, their oath of loyalty, and their revolutionary objectives, these groups were clearly modelled on the United Scotsmen.

Indeed, if Alexander Richmond, the spy, is to be believed, many of their

60. IBID, 179-180.

61. IBID, 160-161. It might be noted that similar schemes had been proposed in the 1790s without ever apparently attracting much support.

62. IBID, 184-195.

63. IBID, 104-112.
leaders were veteran campaigners who had learned their political trade in the 1790s. The arrest of twenty-six of those revolutionary leaders in February 1817 seems to have ended the conspiracy. When the revolutionary cause revived in 1819 it was to the methods of the United Scotsmen that the leaders again turned. The societies were organised into 'cells' of between ten and twenty members, the weekly membership subscription was fixed at 1d., communication between cells was carried out by delegates, links were forged with revolutionary groups in England and Ireland, and all their "business was conducted with great regularity and secrecy".

The 'Radical War' of 1820 cannot here be discussed in full, but some pertinent observations may be made. While the insurgents have been portrayed by certain historians as nationalists, the available evidence suggests that, like the majority of the Friends of

64. IBID, 86.
the People and the United Scotsmen before them, they had no intention of dismantling the parliamentary union of 1707 and erecting an independent Scottish republic. As F.K. Donnelly has pointed out, the insurgents' "Address to the Inhabitants of Great Britain and Ireland" made no mention of a prospective Scottish parliament, and called on the people to rise up and regain their rights as "Britons". Some other historians have alleged that the revolutionaries had little popular backing and were totally untypical of post-war radicalism. Such an interpretation is however impossible to square with the copious

67. The Friends of the People's attitude towards the Anglo-Scottish parliamentary union is discussed in Chapter IV, 315-321. While both Thomas Muir, the self-appointed emissary of the United Scotsmen in Paris, and the French Directory were committed to the establishment of an independent Scottish republic, it may be doubted whether their commitment was shared by the United Scotsmen. The judicial declarations of apprehended United Scotsmen, the indictments levelled against them, the evidence given by witnesses at their trials, and the information supplied by government informers about them do not suggest any hostility towards the parliamentary union between England and Scotland. Moreover there is no mention of any nationalist aspirations in either George Mealmaker's "Moral and Political Catechism of Man" or "The Resolutions and Constitution of the Society of United Scotsmen". Indeed it is probably significant that the United Scotsmen's oath called upon prospective members to swear that they would persevere in endeavouring "to form a brotherhood of affection amongst Britons of every description", and "to obtain an equal, full, and adequate Representation of all the People in Great Britain". However it should not be assumed that Muir and the French Directory were without potential allies in Scotland. During the militia disturbances in 1797 there was some talk in the parish of Logierait (Perthshire) "about reducing the Laird's rents and the Ministers Stipends and about making the King reside at Edinburgh". Moreover, while the United Scotsmen may not have been enthusiastic nationalists, they were fully committed to revolutionary republicanism and quite happy to go along with the plan to establish a Scottish republic. When news reached Scotland in January 1798 that the French intended to set up a "distinct, separate and independent" Scottish republic the United Scotsmen did not reel back in horror at the prospect, but rather continued to prepare to join with the French in the liberation of their nation. It is therefore difficult to avoid the conclusion that the constitutional relationship between Scotland and England was for most, if certainly not all, United Scotsmen a matter of small importance. The United Scotsmen may not have been nationalists, but they were certainly not ardent unionists either.

69. For example, G.S. Pryde. "Scotland from 1603 to the present day". (Edinburgh, 1962), 126.
evidence of insurrectionary intentions and preparations, and lies uneasily beside the fact that some 60,000 or so workers in the Clyde region struck work in support of the revolutionary provisional government. And here another important point arises. Many of those who struck work belonged to those occupational groups which had supplied most of the rank and file membership of the Friends of the People and the United Scotsmen, but alongside the striking weavers, Wrights, masons, and other artisans were to be found other categories of workers - cotton spinners, machine makers, foundrymen, and colliers - who had remained largely aloof from the agitation of the 1790s. The involvement, on however limited a scale, of industrial workers in the post-war radical movement is of great historical significance, for it demonstrates that working men were coming increasingly to share a common political viewpoint. We cannot yet talk of a working class presence, but nevertheless it seems clear that working men and women were slowly beginning to perceive that their interests were fundamentally different from and indeed diametrically opposed to not only those of the "base oligarchy" which ruled the country, but also those of the farmers, lawyers, merchants, bankers, accountants, established clergymen, and others of what Roach terms "social consequence" who chose to support that oligarchy in its struggle against popular radicalism. Moreover, while the rhetoric of post-war radicalism insisted that "the interests of all Classes are the same" and that poverty was the product of high

70. W.M. Roach, op cit, 216.

71. IBID, 349. Roach fails to explain the significance of the political antagonism between plebeian radicals and the bourgeoisie. Indeed his thesis is in many ways profoundly unsatisfactory, and it can safely be said that the last word has not yet been written on the subject of post-Napoleonic war radicalism in Scotland.

taxation and the corn laws, more and more working men were discovering that their economic interests did not always coincide with those of their employers and that their poverty owed something to the ruthless exploitation of their labour by the captains of industry. The early years of the nineteenth century saw an intensification of the struggle between 'master' and 'servant', with hand-loom weavers, calico-printers, cotton-spinners, shoemakers, paper makers, colliers, and others forming trade unions to protect their living standards.  

The same period also witnessed a fierce attack upon the limited industrial rights of working men, which in some ways mirrors that made earlier upon their political rights and constitutional liberties. The occasion of this attack was the weavers' strike of 1812, which had followed on the refusal both of the employers to pay a new scale of wages fixed by the Justices of the Peace in Lanarkshire and of the courts to order compliance. The conviction of the leaders of the weavers' union for simple combination in 1813, and the subsequent repeal of the old Scots statute of 1661 authorising magistrates to fix wage rates seriously curtailed the rights of all workers and aroused much bitterness.

Nevertheless, the idea that working people's interests were fundamentally different from their employers' gained ground only slowly. In the view of most early nineteenth century plebeian radicals,


74. J.L. Gray, art. cit, 332-333. W. Ferguson, "Scotland 1609 to the Present", 274. The Whig orientated "Scotsman" newspaper commented, on 18 September 1819, that the law against combination had "taught the people to believe that there is one law for the poor and another for the rich" and had done much "to engender a deadly hatred between the different classes of society".
society was divided between a producing class who were excluded from political power and a parasitic class who monopolised it. "There are only two classes", a radical newspaper declared on 23 May 1832, "-the Aristocracy and the People".75

Following on the failure of the agitation of the immediate post-war period the radicals began to explore, as their predecessors had done during the summer of 1792, the possibility of forming an alliance with the middle class reformers. The formation of just such an alliance during the Reform Bill crisis of 1831-1832 does not indicate any new found popular faith in what Skirving had termed "partial reform", but rather a tactical willingness on the part of the radicals to build a 'popular front' in order to intimidate parliament into granting a reform which would break the back of 'Old Corruption' and open the way to more radical reform. If the radicals expected that the Reform Act of 1832 would break the power of the landed classes and lead to a further extension of the franchise, they were soon disillusioned. Political power still resided in the mansions of the aristocracy and gentry, and the Whigs and most of their middle class allies displayed no interest in further reform.

Their hopes 'betrayed' by their former allies, the radicals were forced to take the initiative. The stimulus for a renewed radical campaign was provided by the London Working Men's Association's adoption of the 'People's Charter', a six point programme76 first proposed by the radical Westminster Association in 1780 and subsequently


76. Universal manhood suffrage, annual parliamentary elections, equal electoral districts, secret ballots, payment of members of parliament, and the abolition of the property qualification for membership of parliament.
adopted, at least in its essentials, by the 'Jacobins' in the 1790s. In Scotland the Chartist movement grew apace between 1838 and 1839. Support was attracted from most lowland areas, but the Chartist strongholds were situated in the old centres of 'Jacobin' activity. Much had been learned from previous campaigns about the need to coordinate the activities of local societies, and county associations, similar to the provincial conventions organised by the Friends of the People, were set up in Ayrshire, Lanarkshire, Renfrewshire, Stirlingshire, the Borders, Midlothian, Fife and Kinross, Perthshire, and Forfarshire. Moreover, like the Friends of the People before them, the Chartists recognised the value of holding both Scottish and British conventions where delegates could meet to discuss and agree upon the tactics to be employed by the movement. Agreement proved difficult. While "individual Chartists often shifted the emphasis in their views so markedly as to give the impression of having changed sides", there was a real enough division between those who argued that parliament would never listen to their demands unless they were backed up by the threat of force, and those who considered it inexpedient or foolish to threaten revolution without having the means to implement the threat. However the division was one of tactical preference and not one of political principle. In Scotland there was "no school of thought which preached violent revolution". Most so-called "Physical

77. A. Wilson. "Chartism in Glasgow", in Chartist Studies, ed. A. Briggs. (London, 1959), 250-251. The same counties had been at the forefront of radical agitation during the 1790s.


Force' Chartists were engaged in the politics of bluff. The only weapons with which the great majority of Scottish Chartists intended to attack the authorities were those of reason, remonstrance, and demonstration. All Chartists believed in the necessity of mobilising public opinion. Great emphasis was therefore put on political education. 'Missionary' tours, political lectures, and public meetings were organised. Chartist newspapers such as 'The Scottish Patriot' and 'The Chartist Circular' were launched. Tracts and pamphlets arguing the case for the People's Charter were printed and circulated. If the parallels with the 1790s appear close, they appear even closer when the arguments retailed at Chartist meetings and in their newspapers are examined. The Chartists blamed their poverty on their exclusion from political power. An idle, profligate aristocracy, they argued, had, at some distant point in the past, seized control over the House of Commons and had pursued their own sectional interests "in preference to those of the nation". What one Aberdonian Chartist referred to as "the titled locust band" had imposed immense taxes on the poor and, in the Rev. Patrick Brewster's phrase, fattened themselves at the public expense. "The energies of a mighty kingdom", the National Reform Petition stated, "have been wasted in building up the power of selfish and ignorant men, and its resources squandered for their aggrandisement". Only the establishment of a democratically elected House of Commons, it was argued, would free the nation from "the filthy vermin" who had glutted themselves on the poor's "vitals". Sinecures would be abolished, government expenditure slashed, naval and military

82. The Scotsman, 24 August 1844.
83. A. Wilson, "The Chartist Movement in Scotland", 52.
establishments reduced, the corn laws repealed, and taxes cut. Free trade would be introduced, taxes levied on income rather than expenditure, the laws of primogeniture and entail abolished, the harshness of the criminal code ameliorated, degrading punishments in the armed forces abolished, and the civil law simplified and codified.84

The Chartists' debt to the 'Jacobins' was both clear and freely acknowledged. 'The Chartist Circular' published articles on the "political martyrs" of 1793-1794, while the short-lived 'Scottish Vindicator' promised in its first edition, published in September 1839, to republish the speeches of the "patriots" who had suffered in the people's cause in 1793-1794.85 When some Chartists turned towards revolutionary conspiracy in 1848, one of the leading figures in a scheme to form a revolutionary National Guard, a man named Mackay, declared that he belonged to the republican "school of Robespierre". Moreover, revolutionary clubs established in Edinburgh in 1848 were named after Muir, Gerrald, Burns, and Thomas Emmet, the United Irishman.86 Four years earlier, a monument had been erected in Edinburgh's Calton cemetery to the 'political martyrs' of 1793-1794. Joseph Hume (1777-1855), the radical MP for Montrose, who laid the foundation stone of the monument, told the crowd of "at least 3,000 persons" that they had assembled to pay "a tribute of respect to the memory of those who were the pioneers of the cause in which we are all engaged", while the Rev. Patrick Brewster (1788-1859), the parish


86. L.C. Wright, op cit, 196,200.
minister of Paisley Abbey, urged the Chartists to "complete the work begun by these noble friends of reform", adding that "no monument to the martyrs of 1794 would deserve the name which did not include the realisation of those just and equitable principles of popular government for which Muir and his associates had endured the obloquy and scorn of a prejudiced age". At a typically mid-Victorian soirée held afterwards in the Waterloo Rooms, John Dunlop of Brockloch, the chairman, declared that "the opinions and struggles of these pioneers of reform were identical with their own", while the Rev. William Marshall, the United Secession minister of Leith, opined that "the creed of a radical reformer never changes". 87

Dunlop and Marshall's claims were far removed from the truth. The creed and opinions of the democrats had changed substantially since the 1790s, and some of the Chartists' policies would have surprised Muir and his associates. The fierce Chartist denunciations of ecclesiastical patronage and the Church of Scotland's unholy alliance with Tory despotism 88 would have sounded familiar to the old 'Jacobins', but the voluntaryism espoused by Marshall and most radical dissenters in the 1830s and 1840s would have shocked their predecessors in the 1790s. In the secular field too, radical policies changed to meet changing needs. While the 'Jacobins' had shown little

87. The Scotsman, 24 August 1844.

88. Abram Duncan, a Glasgow woodturner, prominent trade unionist, and Chartist leader, declared - "The Tories are all religious men. They talk much about religion. They want more new churches and more stupid blockheads for ministers... The Tory parsons are our modern Pharisees; they make long prayers; they pray at the corner of the streets but devour widows' houses. The tyrant pays the priest, and the priest deludes the people for the sake of the tyrant". Quoted in L.C. Wright, op cit, 40. The Chartists were not, however, attracted to atheism. "Almost universally they were devout, God-fearing men, whose scepticism was confined to the behaviour of 'false pastors'." A. Wilson, "The Chartist Movement in Scotland", 138.
interest in social reform, the Chartists busied themselves in drawing up schemes to improve the condition of the working class. These schemes included a free national education system, a "sanitary police" (i.e. a health and safety inspectorate) for factories, workshops, and dwellings, a ten hour maximum working day, a system of compulsory education for soldiers and sailors, a reform of the antiquated, anachronistic, and inadequate Poor Law, and a strengthening of the legal rights of trade unions. Some of the social reforms proposed by the Chartists were clearly directed at rescuing the proletariat from what Ernest Jones (1819-1869), the English Chartist leader, called capital's "unconditional despotism". While many Chartists, particularly those in prosperous and artisan dominated Edinburgh, still saw their struggle in terms of a conflict between the "industrious" and "idle" classes, and believed in the utility of an alliance with the middle class radicals, others, particularly those in the industrial west of Scotland, regarded the capitalists as their enemies, and opposed any alliance with Richard Cobden's (1804-1865) Anti-Corn Law League and Joseph Sturge's (1793-1859) Complete Suffragists. Had it been possible for them to be present, the old 'Jacobins' would have applauded Thomas Attwood (1783-1856), the radical MP for Birmingham, when, in a speech delivered in Glasgow on 21 May 1838 to launch the Chartist campaign in Scotland, he called on "Master and man" to unite in a common political struggle against "all the aristocracy, nine-tenths of the gentry, and all placemen and pensioners". They would, however, have been bemused by Chartist distrust of the radical

89. L.C. Wright, op cit, 78, 85-86.
91. IBID, 50.
bourgeois movements,\textsuperscript{92} perplexed by denunciations of the "proud shopocracy",\textsuperscript{93} and mystified by the claim that "the power of the capitalists... will ever press down and endeavour to destroy the interests of unrepresented labour".\textsuperscript{94} Industrialisation and the grave social problems which it brought in its wake, the rise of a bourgeoisie whose interests frequently clashed with those of the new industrial proletariat, and the growth of working class political consciousness ensured that the Chartists were separated from the Friends of the People and the United Scotsmen by more than just the passage of fifty years.

With the passage of time, working class radicalism pulled further and further away from Jacobinism. The influence of 'old dissent', so potent in the 1790s, declined rapidly. The old eighteenth century arguments about the balance of the constitution were abandoned. The laissez-faire economics of the 'Jacobins' were discarded by proletarian radicals convinced that their quality of life would only be improved through government intervention. Yet as working class radicalism distanced itself from the Friends of the People and the United Scotsmen, it claimed them for its own. In the 1830s and 1840s the emergent Scottish working class sought its history, and discovered part of it in the struggles of the democratic movement of the 1790s. Thomas Muir and his associates were admitted into the pantheon of working class historiography. While the 'Jacobins' had not been working class and had not seen their struggle in working class terms,

\textsuperscript{92} For an excellent discussion of the Chartists' attitude towards the Anti-Corn Law League and the Complete Suffrage movement, see A. Wilson, "The Chartist Movement in Scotland", 151-179.

\textsuperscript{93} IBID, 126. L.C. Wright, op cit, 38.

\textsuperscript{94} A. Wilson, "The Chartist Movement in Scotland", 40.
mid-nineteenth century proletarian radicals were nevertheless clearly justified in seeing their own struggle as a continuation of that waged in the last decade of the eighteenth century by the Friends of the People and the United Scotsmen. In the 1790s, for the first time in Scottish history, propertyless men of no social standing came forward to challenge the political monopoly of the propertied classes and demand political power for themselves. The movement they created belonged to themselves. They organised and led themselves, and formulated their own policies. In a very real sense, the 1790s marks, in Professor Cobban's phrase, "the beginning of working-class politics in Great Britain". 95

The place of the 'Jacobins' in the history, or, more accurately perhaps, the mythology of the Scottish working class remains secure. Socialists and radical Scottish nationalists still pay homage to the 'political martyrs' of 1793-1794 and to the United Scotsmen. A ceremony at the martyrs' monument in Edinburgh on 31 August 1968 to commemorate the trial of Thomas Muir attracted such well known figures on the Scottish left as Dr. Douglas Young, a prominent and outspoken left wing nationalist, Jack Kane, a Labour Party councillor and future Lord Provost of Edinburgh, Keith Bovey, a future Scottish National Party parliamentary candidate and activist in the Campaign for Nuclear Disarmament, and Matthew Lygate, the chairman of the Maoist orientated Workers' Party of Scotland. 96 The links between some of these modern day radicals and the 'Jacobins' are tenuous to say the least. Nationalism was the political creed of only a small minority of 'Jacobins', while socialist ideas attracted minimal support. Neverthe-


less there is a strong political tradition linking modern working class radicalism with the 'Jacobins'. In its passionate opposition to imperialism, in its insistence upon the sovereign right of nations to self-determination, in its belief in the international brotherhood of man, in its commitment to democratic government and the rights of the individual, in its profound distaste for political corruption and 'priestcraft', in its fierce antipathy towards landed power and privilege, and in its emphasis upon the value of political education and organisation, working class radicalism stood, and stands yet, in the tradition of the Friends of the People and the United Scotsmen.
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