

DUNCAN FORBES OF CULLODEN,

THE SCOTTISH PATRIOT.

CULLODEN is a word celebrated in history, poetry, and romance. It gives its name to a decisive battle, if not of the world, yet certainly of the British Empire; for on that field were crushed the last hopes of the Stuarts, after twice defeating the royal troops and marching to within a hundred miles of London. Culloden is not less deserving of honour, as being the name of the paternal estate of the great and good man of whom we propose to give a short account.

Thomson, in his "Autumn," makes the muse,

"High-hoivering o'er the broad serene scene,
See Caledonia, in romantic view;"

and, like all Scotsmen, he has grievances to complain of, and good wishes for his countrymen. His grievances and his wishes are alike reasonable; he is indignant that the Dutch should encroach on their fisheries; he wishes industry to be cheered, and agriculture to be encouraged; the linen manufacture to be set up,* trade to be roused, and ships "to wing their way from every growing port;" and thus, in soul united as in name, "bid Britain reign the mistress of the deep." The poet fervently asks:—

"Oh! is there not some patriot, in whose power
That best, that god-like luxury is placed,
Of blessing thousands, thousands yet unborn,
Through late posterity?"

And he answers:—

"Yes; there are such. And full on thee, Argyll,
Her hope, her stay, her darling, and her boast,
From her first patriots and her heroes sprung,
Thy fond, imploring country turns her eye."

This is the Argyll of Pope, of Chesterfield, and of Scott:—

"Argyll, the State's whole thunder born to wield,
And shake alike the senate and the field."

Thomson invokes yet another patriot:—

"Thee, FORBES, too, whom every worth attends,
As truth sincere, as weeping friendship kind;
Thee, truly generous, and in silence great,
Thy country feels through her reviving arts,
Planned by thy wisdom, by thy soul informed;
And seldom has she known a friend like thee."

By what rectitude of conduct this high eulogium was merited we now proceed to show.

Duncan Forbes was born in 1685, of parents who transmitted to all their children an hereditary aversion to the House of Stuart, whom they appear to have resisted from the very commencement of the Civil Wars, persuaded that the triumph of that dynasty would have been the ruin of civil and religious liberty; an opinion in which posterity, after the bitterness of faction is passed, will be much disposed to concur. Duncan, a younger brother, was taught to read and write at the parish school of Inverness, and afterwards distinguished himself at the University of Edinburgh, where he studied for three years. In 1705, he went to Leyden, where he remained two years, deeply engaged in the study of law and languages; returned to Scotland about the time when the union of the two kingdoms was settled, and in July, 1709, was called

to the bar. He was soon appointed Sheriff of Mid-Lothian, and his professional practice continued extensive and brilliant. It carried him frequently to the House of Lords; and this led to the formation of friendships in London, which ever afterwards connected him with all the eminent men of the age. Sir Robert Walpole, the Duke of Argyll, Lord Hardwicke, Murray, afterwards Lord Mansfield, the Speaker Onslow, General Oglethorpe, besides all the most famous men in Scotland were among his correspondents. He married early, but soon lost his wife, and ever after remained a widower.

Queen Anne died on the 1st of August, 1714; and in 1715 the Pretender made an attempt in Scotland to restore the Stuarts. The whole family of Culloden exerted itself to defeat his project. The eldest son spent £3000 in the service of government, which was never repaid; the family castle was besieged by the rebels, and successfully defended by the heroic wife of the owner, who happened to be absent; and Duncan's zeal was rewarded by the hatred of the Jacobites and the thanks of the reigning party. He was made Advocate-Depute, "and (says he) the Justice Clerk shows a grim sort of civility towards me, because he finds me plaguily stubborn." Many of the Scots rebels were about to be tried in England, and the Depute was to be sent there as a prosecutor. Upon this he writes, "I am determined to refuse that employment." He composed, and transmitted to Sir Robert Walpole, a memorial, remonstrating firmly against the injustice and impolicy of treating the rebels as the ministry were about to do; for a sort of exterminating bill was then in contemplation. He evinced complete knowledge of Scotland, and of the great principle of reclaiming a deluded people by time and lenient firmness, instead of vainly attempting to subdue their turbulence by breaking their spirit. "Every man concerned in that odious work certainly deserved death, and the punishment due by law, but humanity and prudence forbade it. It was not fit to dispeople a country, nor prudent to grieve the king's best friends, who mostly had some concern in those unfortunate men, or expedient to give too just grounds of clamour to the disaffected." Nevertheless, the system that had been resolved on was adopted. Every family trembled for a prosecution; suspicion, however slight, was a ground for imprisonment, and those who were destined for trial were either sent to England, to them a foreign country, or else subjected in Scotland to the zeal of English judges and prosecutors. Forbes, seeing he could not prevent this, did what he could, by promoting subscriptions for their relief; and he writes thus to his brother at Culloden, who, as well as himself, had been a personal sufferer from the very men for whom he pleads: "A contribution is carrying on for the relief of the poor prisoners at Carlisle, from their necessitous condition. It is certainly Christian, and by no means disloyal, to sustain them in their indigent state until they are found guilty. The law has brought them to England to be tried by foreign juries; so far is well. But no law can hinder a Scotsman to wish that his countrymen not hitherto condemned should not be

* Hence the origin of the British Linen Company, 1746, now a prosperous banking concern.

a derision to strangers, or perish for want of necessary defence or sustenance, out of their own country."

In spite of all this, his character made him too powerful to be resisted; and in 1722, he, with the acquiescence of the ministry, obtained a seat in parliament, to which, in 1725, was added the office of Lord Advocate. The discharge of those official duties carried him often to London, and opened new views and opportunities of increased usefulness to his country. The condition of Scotland was then wretched in the extreme. Discontent pervaded all ranks; the great families lorded it over their vassals; a new and strict system of taxation was introduced, and the poverty of the country rendered it unproductive and unpopular. The nation was divided, in sentiment and hopes, into two parties, Jacobites and Hanoverians. The incident of the Porteous mob may give a glimpse of the fierce and discontented spirit then rankling in Scotland. For all these evils, the only remedy adopted was to abate nothing, and to enforce everything by English counsels and Englishmen. Forbes took a different method, and not only directed the spirit of his country, but conciliated its discordant members with astonishing skill. He endeavoured to extinguish the embers of rebellion, by gaining over the Jacobites. This he did, by showing them what he called the folly of their designs, by seeking their society, by excluding them from no place for which their characters or talents gave them a claim, and, above all, protecting them from proscription. He next endeavoured to habituate the people to the equal and regular control of the laws. He rigidly investigated, but did not severely punish, popular outrages; but he was unsparing in his prosecution of the provincial injustice by which the people were generally oppressed. The injured were sure to find in him a friend, and the higher ranks universally feared him, as the certain foe of all unfair and illiberal projects. Having thus secured a common respect for the law, he turned his mind to the improvement of the trade and agriculture of the kingdom. He saw that internal trade would give employment to the hordes of idlers who infested the country; would interest proprietors in the improvement of their estates, and furnish the means both of paying and levying taxes. He made himself master of the nature and history of almost every manufacture, and corresponded largely both with the statesmen, the philosophers, and the merchants of his day, about the means of introducing them into Scotland. He planted the roots of those establishments which are now flourishing in that country, and excited a spirit of commercial enterprise.

Adam Smith had not yet taught the nature and causes of the wealth of nations; and it is therefore not wonderful that Forbes fell into some errors on the principles of taxation and political economy. These were the common errors of too much regulation. It was a great object to encourage agriculture by promoting the use of malt; and as it was thought that the use of tea, then becoming general, interfered with ale and twopenny, Forbes presented to government a scheme for preventing, or rather

punishing, the use of tea: "which is now become so common, that the meanest families, even of labouring people, particularly in burghs, make their morning's meal of it; and the same drug supplies all the labouring women with their afternoon's entertainments."

In 1737, he was appointed President of the Court of Session. It was with great diffidence that he accepted of this situation. He threatened to shrink back into private life, and would certainly have done so but for the remonstrances of the most eminent men of the time, among whom, Mansfield told him that it was like a general forsaking the fight in the hottest of the fire. The court was in a lamentable state when he joined it; but he reformed it so thoroughly as to change even the manners of the judges; and the *law's delay*, grievous everywhere, but a peculiar reproach to Scotland, was so greatly mitigated that he could say, in 1740, "When the term ended this day, no cause, ripe for judgment, remained undetermined—a circumstance that has not happened within any man's memory."

While he was thus engaged in the highest functions of civil life, the Pretender suddenly landed, in 1745. The court was shut by Act of Parliament, and Forbes plunged himself into the very midst of the disaffected district. On account of the military abilities he had displayed in 1715, part of a regiment was put under his orders; and having got twenty blank commissions for independent companies, he established himself at Culloden, to which estate he had succeeded by the death of his brother. He was consulted by everybody, and particularly by the government; but his advice was, on many points, fatally neglected. There was not, however, a decided blunder committed, but it was followed by a string of letters from the men in power, lamenting that they had not sooner adopted his advice. His conduct was full of liberality and honour. He laments for the rebel leaders, as the unhappy gentlemen in arms; begs one of them who had not declared, to keep his people from folly; and regrets that, from the temper of the English at that time, lenity was not to be expected. When he went north, he found a total want of arms and money, and wrote, day after day, imploring if it were but a few pounds, and two or three muskets, but all in vain; although it was perfectly well known that his own funds had been speedily and cheerfully exhausted.

Bad as all this was, it was nothing compared with the signal ingratitude that was shown to himself after the rebellion was over. He had spent three years' rents of his estates in the public service, and it is said he never recovered a farthing. The minister was reported to have asked a statement of his disbursements, but in such a way that the patriot disdained a reply. He was thanked by his Majesty, but in no very gracious way; and one of the popular accounts is probably the true one, that he was disliked for having plainly, and in the king's presence, expressed his decided disapprobation of the violence of the royal army. The atrocities of the Duke of Cumberland are hardly yet forgotten in Scotland.

It is painful to be told that his sense of the ingratitude manifested towards him never left Forbes till it was buried, two years afterwards (1747), in the untimely grave to which it hastened him. We fondly hope that the true religious principles which animated his whole life, preserved him from any unbecoming or depressing grief of spirit. He thoroughly understood and believed the great truths of revealed religion. His age was the age of scepticism and speculative infidelity; and, in a small treatise of his, entitled, "Reflections on Incredulity," he traces the infidel objections to their true cause, the pride of intellect in fallen man, and the alienation of the heart from God and holiness. But he does not defend merely the outworks of truth, but distinctly affirms the early and total fall of man, and the revelation of what natural religion never could have imagined, the possibility of divine mercy at all, and the method of its exertion, by the substitution of the God-man to suffer in the room of the guilty sinner. He read the Old Testament in the original language, eight times over, and, like many pious men of that time, was delighted to trace, in the sacrifices of the Mosaic dispensation, and even in the wretched perversions of similar rites in heathen nations, the proof that from the earliest times God had revealed the grace of the new covenant, by institutions which were to keep alive, till the fulness of the time, the hopes of the coming Saviour.

About the year 1812, two large chests and three sacks full of documents were discovered at Cul-loden House. A selection was made and published at the time. There are various lairds, and other personages, who make but a shabby figure in this collection; but the clear honour and open heart of him to whom they address themselves is manifest in every page. None of his descendants or countrymen need to blush for him. His statue, by Roubiliac, with its earnest look and sagacious brow, is conspicuous in the Parliament House at Edinburgh, to excite the applause and emulation of future judges and advocates, and his memory lives in the admiration of Scotland; a proof that, even since she ceased to be a separate kingdom, she has had at least one statesman whose principles were as pure as his understanding was enlightened, and whose concern for his country was never once suspected to be quickened by any regard to his own power or emolument.

INCENDIARY MICE.

MICE, aptly described by Johnson as being the "smallest of all beasts—little animals that haunt houses and corn-fields," are usually considered as being merely mischievous nuisances, whose sole destructive propensities are directed against candle-ends, cheese, and corn, nibbling through skirting-boards, cupboards, and boxes, and other trivial depredations. We shall find, however, by a further investigation of facts, that mice, powerless as they may seem to be of producing evil on a large scale, may nevertheless cause a large and destructive loss of property, and even of life.

We find, by contemporary journals, that in the bed-room of a certain individual a fire is suddenly found to be raging—an odd circumstance, considering that no light or fire of any description had been in the apartment for some time; but still more odd was the locality of the fire in this case—a chest of drawers, shut and probably locked. The mysterious nature of the origin of this fire will be best seen by quoting the account given of it by a local journal at the time of its occurrence.

"Mr. E. Lewis, of Broadheath, discovered a fire in his bedroom a day or two ago, the origin of which is enveloped in the most profound mystery; it occurred in a chest of drawers. What renders it so mysterious is the fact that for many weeks past there has been no light, or fire of any description, in this apartment. The fire originated in a chest of drawers, the contents of which (lace, and some volumes of the 'Illustrated London News') were burnt or damaged before the fire was detected."

It would not be the object of an ordinary incendiary to burn a few books. A fire lighted in a drawer, and that drawer subsequently closed, could but smoulder and smoke, and expire for want of air to support combustion. This smouldering might destroy, as it actually did in this case, the contents of the drawer, but the flames would not extend; the premises would be safe, for the smoke engendered would be such in quantity and quality as to insure early detection.

Now, from this plain statement of a fact, what can we infer? A fire is discovered: how did it originate? What the green fat of the turtle is to the alderman—what curry and rice are to the Indian—what fat puppy and kitten pie are to the Chinaman—such is phosphorus to the mouse—a decided luxury, an epicurean *morceau*. Advantage of this well-known partiality is taken by the commonly used vermin poison, now extensively sold under the name of "vermin-destroying paste," the basis and active principle of which is phosphorus. This is self-evident from its smell, its being luminous in the dark, the manner in which it burns, and the phosphoric acid produced by its combustion. A thin layer of this, spread upon bread-and-butter, and put in the neighbourhood of its holes, will lure the unsuspecting mouse from his ordinary cheese or candle diet to the poisoned and invariably fatal bait. We have watched its effects: at first it appears to act as a narcotic, or stupifying agent; the mouse walks and stumbles about, unheeding the presence of man: it seems intoxicated. Death, however, soon follows; and upon examining their bodies a few minutes afterwards, evidence of extensive inflammation of the bowels is to be found. We have seen rats similarly under its influence, and detected the same post-mortem appearances.

We will now adduce another fact, as bearing considerably upon the subject under investigation. Some few years ago, a fire originated in a cupboard, very mysteriously. Satisfactory and conclusive evidence was given at the time, that no lighted candle or fire had been in the room for months. The shelves of the cupboard, the floor, and the ceiling of the room underneath were burnt, when,