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The Sutherland Estate, 1850–1920

Annie Tindley

THE SUTHERLAND ESTATE, 1850–1920

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Aristocratic Decline, Estate Management and Land Reform

ANNIE TINDLEY

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Introduction

> The direct descendants have been as a race respectable and even useful; but their fortunes have been beyond their deserts, and we must end as we began, by pronouncing the Gowers the luckiest among the great English houses.[1]

Lucky or not, the Leveson-Gowers, earls and dukes of Sutherland, were a force to be reckoned with in the nineteenth century. Fascination about them is understandable; they were among the top rank of British patrician landowners through most of the nineteenth century, their position based on a seemingly unshakeable bastion of wealth.[2] By 1850, the 2nd Duke of Sutherland was the largest landowner in western Europe: in the far north of Scotland the Sutherland estate covered roughly 1.1 million acres, almost the entire county, with a population of nearly 25,000. Although the northern estate is the focus of this book, the family also owned substantial landed estates in England; in Yorkshire, Shropshire and Staffordshire, as well as a broad portfolio of sometimes exotic investments in a huge range of ventures.

In addition to this vast landed wealth, the Sutherlands have generated enormous, and generally hostile, public controversy, the roots of which can be found in the Sutherland clearances of 1807–21. Although many Highland estates carried out clearances in the first half of the nineteenth century, it has been the Sutherland clearances that have come to symbolise the perceived injustice and cruelty of the policy, for a number of reasons.[3] Firstly, the rigorous ideology and defence of the clearances was notable in a Sutherland context; James Loch, estate commissioner from 1812, was an articulate defender of the policy, in parliament and in print, particularly of their 'Improvement' ethos.[4] Secondly, the sheer scale on which the clearances took place on the estate makes them stand out, and lastly, the infamy surrounding Patrick Sellar, clearance agent and sheep farming tenant, permanently tainted the clearance story in Sutherland. His methods,

[1] J. L. Sandford and M. Townsend, *The Great Governing Families of England*, vol. I (Edinburgh, 1865), 275.

[2] E. Richards, *The Leviathan of Wealth: the Sutherland Fortune in the Industrial Revolution* (London, 1973), 3–18.

[3] E. Richards, *The Highland Clearances: people, landlords and rural turmoil* (Edinburgh, new edn 2008), 153–4.

[4] Richards, *Highland Clearances*, 157; J. Loch, *An Account of the Improvements on the estates of the Marquis of Stafford* (London, 1820); *Hansard Parliamentary Debates*, 3rd series, 81 (1845), 412–13, 1455–61.

culminating in an accusation of and trial for culpable homicide, entered clearance mythology and the estate never cleansed itself of the infamy generated by this controversial experiment.[5] One of the central themes of this book is the impact of the clearances, financially, practically and ideologically, on the family and estate policy, particularly after 1882.

The second main theme of this book is of changing estate management policy and philosophies in the period. This links directly into the role of and relationships between the Sutherland estate staff, the crofting and large tenants on the estate, and government agencies in the region. The personal sinews of estate management, the key personalities of the period, and the way in which external political and governmental changes in the Highlands impacted upon them, are the framework of this book. Very little has been written on Highland estate management in the post-1860 period; the model used here has been the work of Eric Richards, which deals with the Sutherland estate, using its archive as a principal source, in the period 1780 to 1855.[6] This book is an attempt to continue the narrative and investigation started by Richards. The present study attempts to clarify some over-simplifications regarding the Sutherland estate management through decades of huge change and occasional acute crisis. The common contemporary assumption that the Sutherland estate management was a monolithic and efficient structure is challenged; its deficiencies, fractures, and, sometimes, its complete breakdown under both internal and external pressures are exposed.[7] The Sutherland estate needs to be regarded as a complex, elaborate, hierarchical structure, prone to breakdown and faction fighting and sometimes ill equipped to deal with the problems facing all Highland estates in the period.

Additionally, the aim of the current study is to put the Sutherland estate into its wider Highland context, principally through current academic debates on the Highland land question, the Crofters War, the role of agencies such as government and the churches and the impact of Irish land agitation in the region in this period.[8] In many of these existing studies, the position and response of Highland estates, including the Sutherland estate, with some honourable exceptions, is deduced without the benefit of using

[5] E. Richards, *Patrick Sellar and the Highland Clearances: homicide, eviction and the price of progress* (Edinburgh, 1999), 352–68.

[6] Richards, *Leviathan of Wealth.*

[7] E. A. Cameron, *Land for the People? The British Government and the Scottish Highlands, c.1880–1925* (East Linton, 1996), 196; see Appendix for a complete description of the estate management, 1850–1920.

[8] J. Hunter, *The Making of the Crofting Community* (Edinburgh, 1976); E. A. Cameron, *Land for the People? The British Government and the Scottish Highlands, c.1880–1925* (East Linton, 1996); A. G. Newby, *Radicalism, Ireland and the Scottish Highlands, c.1870–1912* (Edinburgh, 2007); A. W. MacColl, *Land, Faith and the Crofting Community: Christianity and social criticism in the Scottish Highlands, 1843–1893* (Edinburgh, 2006); I. M. M. MacPhail, *The Crofters' War* (Stornoway, 1989); T. M. Devine, *Clanship to Crofters' War: the social transformation of the Scottish Highlands* (Manchester, 1994).

estate papers.[9] This book looks at these debates from the perspective of one of the most important, certainly the largest and richest, Highland estate.

The third and last theme of the book follows David Cannadine's thesis of the 'decline and fall' of the British aristocracy from c. 1880.[10] This has developed into a key historiographical debate among historians working on landed aristocratic and gentry families, and has been a central framework used in this book. The picture of decline painted here matches that described more generally by Cannadine – in the family's once colossal wealth, their territorial dominance, and in their political and social influence – and is one that has been explored in other great aristocratic families and among the class in general.[11] The Sutherlands were able to manage the decline of their economic and social position fairly well, although this was less the case for their political power, which they lost at central and local levels from the mid-1880s.[12] The decline of the Sutherland family broadly matches that of other great patrician families such as the Westminsters and Devonshires: decline, but not complete eradication.[13] As in those families, the cushion of investments and land was large enough to facilitate a financial re-structuring in the early twentieth century, mainly via land sales, which enabled the Sutherland family to service its debt and survive into the twenty-first century with 100,000 acres and Dunrobin Castle to its name. A detailed investigation into this process will be central to this book.

The Sutherland Estate, 1850–1920

For most of the nineteenth century, the dukes of Sutherland consistently enjoyed an annual income of roughly £120,000, but the sources behind this income changed over the century. In 1833, the 2nd Duke had £1.1 million invested in government stocks, but by 1850 this figure had dropped to £506,046: he had spent half a million pounds in under twenty years, principally on building and improving the five family houses and supporting his

[9] The work of Cameron is an exception; Cameron, *Land for the People*, 4, 12–13.

[10] D. Cannadine, *The Decline and Fall of the British Aristocracy* (London, 1990), 25–32.

[11] For example, Cannadine, *Decline and Fall*; A. Adonis, *Making Aristocracy Work: the peerage and the political system in Britain, 1884–1914* (Oxford, 1993); A. Adonis, 'The Survival of the Great Estates: Henry 4th Earl of Carnarvon and his dispositions in the 1880s,' *Historical Research*, 64 (1991); D. Cannadine, *Aspects of Aristocracy: grandeur and decline in modern Britain* (London, 1994); D. Spring, 'The role of the aristocracy in the nineteenth century,' *Victorian Studies*, 4 (1960); A. Adonis, 'Aristocracy, Agriculture and Liberalism: the politics, finances and estates of the third Lord Carrington,' *Historical Journal*, 31 (1988); M. Cragoe, *An Anglican Aristocracy: the moral economy of the landed estate in Carmarthenshire, 1832–1895* (Oxford, 1996); J. S. Donnelly, *The Land and the People of Nineteenth century Cork: the rural economy and the land question* (London, 1975).

[12] The political aspect of the 'decline and fall' of the Sutherlands has been examined elsewhere; A. Tindley, '"The Sword of Avenging Justice": Politics in Sutherland after the Third Reform Act,' *Rural History*, 19 (2008), 192–3.

[13] Cannadine, *Decline and Fall*, 135–6.

relations.[14] The clearances also dented the family's finances: the northern estate generated no income between 1811 and 1833, and on top of this, £60,000 of capital was spent.[15] The broad picture of ducal expenditure up to c. 1850 is completed when land purchases totalling £554,000 are added.[16] When the 3rd Duke inherited the estates in 1861, therefore, his income was still £120,000 per annum, but a greater proportion of this sum came from estate rentals, a potentially more temperamental revenue. Luckily for the 3rd Duke, the 1850s and 1860s saw rentals from sheep farming in the north rise considerably and when these began to fall away in the 1880s, sporting rents made up the shortfall.[17] The 3rd Duke continued the traditions of his forebears, despite a reduction in the more secure sources of his income, and made unrestrained capital outlays on grand projects that generated little or no return.[18] The 4th Duke, faced with a shrinking base of capital, low land prices, a depressed agricultural sector and the consequences of decades of unremunerative spending by his forebears, began, along with many other landowners, to sell land to free up capital, which was then invested in more productive ventures.[19] He sold 170,000 acres of land in Sutherland between 1898 and 1913, and used the proceeds to buy land in Canada, which he thought would give him a higher return. Unfortunately for the family coffers, it did not, and the land was sold off by the 5th Duke between 1913 and 1920, at the same time as he put nearly 450,000 acres of Sutherland up for sale.[20]

A breakdown of the income generated by the Sutherland estate itself is necessary to set the policies and activities of the ducal family and estate management in context.[21] There were a few significant trends in the rental income of the estate over the period 1850 to 1920; the significant increase in the rental between 1850 and 1882, from £35,717 to £69,612, was directly attributable to increased rents from large sheep and arable farm tenants. The high point of rental income from the Sutherland estate was 1882; by 1886, the total had dropped slightly to £65,852, and by 1898, just before

[14] E. Richards, 'An Anatomy of the Sutherland Fortune: income, consumption, investments and returns, 1780–1880', *Business History*, 21 (1979), 46, 52–3.

[15] Richards, *Leviathan of Wealth*, 231–2.

[16] Richards, *Leviathan of Wealth*, 16, 216, 232; Richards, 'An Anatomy', 55.

[17] Richards, 'An Anatomy', 54, 62.

[18] Large investments were made in the railway infrastructure of Sutherland in the 1860s (£254,064), and in the great land reclamations in the 1870s (£220,000): Richards, 'An Anatomy', 54; 5th Duke of Sutherland, *Looking Back: the autobiography of the Duke of Sutherland* (London, 1957), 32–3.

[19] Cannadine, *Decline and Fall*, 133–4.

[20] 5th Duke, *Looking Back*, 58–9; Cannadine, *Decline and Fall*, 108.

[21] For all the following figures, see: NLS, Acc. 12173, Dunrobin Rental Abstracts, 89 (1862), 94 (1867), 99 (1872); Acc. 10853, Dunrobin Rental Abstracts, 81 (1882), 85 (1886), 92 (1893), 97 (1898), 105 (1906), 113 (1914); Acc. 12173, Tongue Rental Abstracts, 114 (1862), 119 (1867), 124 (1872); Acc. 121273, Scourie Rental Abstracts, 140 (1862), 145 (1867), 150 (1872).

the 4th Duke made his first land sales in the region, the rental was down to £59,257. In 1918, just before the most significant land sales, the total rental had dropped slightly again to £58,643. Overall, the estate rentals started to grow from the end of the Highland famine period in the mid-1850s, up to the early 1880s, at which point the dominating trend was one of decline, although not of a catastrophic nature. An explanation for this overall trend can be found when a more detailed breakdown of the estate rentals is presented; throughout the entire period 1850 to 1920, what the estate termed 'large rents' propped up the overall rental to an extraordinary degree, especially from the 1880s. In 1862, for instance, large rents – sheep and arable farms and shooting lets combined – made up 84% of the total rental. Small rents, that is, crofters' rents, contributed just 16% and 30% of that figure was in arrears. By the 1880s and later, this trend was not only confirmed, but even more pronounced; in 1886, large rents made up 88% of the total rental and of the crofters' rents, 45% were unpaid. Although some of the crofters' arrears can be explained by the political agitation sweeping across the Highlands in the 1880s, in fact, the estate rentals demonstrate that crofters' arrears at all times were rarely less than 20%, and in 1914 stood at a staggering 59%. Crofters' arrears on the Sutherland estate therefore were a chronic and permanent problem facing the management, as this book will make clear.

A brief examination of demographic trends in Sutherland is also necessary, given that ideas about population, migration, emigration and congestion were central to the debate about the Highland Question throughout the whole period covered by this book. [22] The effect on population levels generated by the clearances, famine and emigration was not as immediate as might be expected: the population of Sutherland peaked in 1861 at 25,246, and then began a determined march downwards. The most striking decline in population came between 1901 and 1921, by which time the population of the county had shrunk to 17,802.[23] This broad picture disguises more extreme decreases in some parishes: Assynt, for example, saw a 44.2% decrease in population between 1891 and 1921, with Durness close behind with a 36.8% decrease. That the poorer and more marginal parishes were most affected by population decline is perhaps not as surprising as some other steep population decreases in the central and eastern parishes, particularly Rogart (32.7%) and Loth (39.2%).[24]

[22] R. N. Hildebrandt, 'Migration and Economic change in the northern Highlands in the Nineteenth century, with particular reference to 1851–1891', unpublished Ph.D. thesis (University of Glasgow, 1980), 336–7; M. Anderson and D. J. Morse, 'High fertility, high emigration, low nuptuality: adjustment processes in Scotland's demographic experience, 1861–1914, Part II,' *Population Studies*, 47 (1993), 326.

[23] *Census of Scotland*, 1911 (Edinburgh, 1912), 2233; *Census of Scotland*, 1921 (Edinburgh, 1923), 1874; Hunter, *Making of the Crofting Community*, 107–8.

[24] *Census of Scotland*, 1911 (Edinburgh, 1912), 2231; *Census of Scotland*, 1921 (Edinburgh, 1923), 1868.

This steep decline was a source of urgent concern to government agencies in the Highlands. In the 1850s, the government had been keen to manage de-population; it was felt that the Highland famine had highlighted a 'redundant' population in the region which had to be removed, via emigration, to improve the position of those who remained. In this view, the Sutherland estate management was in agreement: along with most Highland estates they wished to see the poorest, cottar class assisted to emigrate by government and the more prosperous crofters to remain, to prop up the rental roll.[25] By the 1910s and 1920s, however, the government was deeply concerned by the haemorrhage in population and attempted to stem the flow of de-population in an unqualified way, especially in Sutherland, which saw some of the most extreme decreases in population.[26] Essentially, the government and estate management were in agreement in their views on population management from the 1850s, but from 1910 this changed as the government became increasingly exercised by the absolute population decrease taking place.

In order to unpick the complexity of the estate management, an essentially estate-centric approach has been taken, the Sutherland estate papers being by far the most important and influential source used. Central to this book, aside from the estate's relations with its crofting tenants and the government, has been the structure of the management of the estate, the mechanics of policy formation and implementation and life on the ground for the estate staff. The Sutherland estate papers expose the cogs and wheels of a vast estate turning in a way that leads to very different conclusions about Highland estate management commonly found in other sources. Additionally, this book has been structured chronologically in order to make sense of both the enormous size of the estate archive and to maintain a sense of coherence as regards the estate staff and policy in a rapidly changing social and political context. The final chapter takes one crofting township in Sutherland and examines its history in detail between 1850 and 1910 as an illustration of many of the key themes of this book.

The principal problem in using the Sutherland estate records in depth was the danger of developing a myopic estate-centric view. There has been much comment in Highland historiography over the use of particular types of sources and how their use identifies the perspective of the historian in a manner labelled by Cameron as 'sectarian.'[27] Dependence in the present study on the Sutherland estate papers can be defended on two counts: firstly, the archive of a Highland estate the size of Sutherland contains records of huge diversity. From financial records to personal papers, inter-

[25] T. M. Devine, *The Great Highland Famine: hunger, emigration and the Scottish Highlands in the Nineteenth Century* (Edinburgh, 1995), 247–9.

[26] Cameron, *Land for the People*, 203–4.

[27] Cameron, *Land for the People*, 9–15; A. Mackillop, *More Fruitful than the Soil: army, empire and the Scottish Highlands, 1715–1815* (East Linton, 2000), 2; Hunter, *Making of the Crofting Community*, 4–5.

nal correspondence between estate management personnel to letters to and from government agencies and both large and small tenants, there is much in the Sutherland archive that is not strictly 'landlord' in content.[28] Secondly, aside from a few key works already mentioned, analysis of the affairs, structure and philosophies of landed estates and landowners in the later nineteenth and early twentieth centuries has been either neglected or based on other types of sources.

Papers of other Highland estates have also been used to set the Sutherland estate more securely into its contemporary Highland context. Five sets of papers have been examined; those of the Cromartie estate in Ross-shire, the Macdonald, MacLeod and Kilmuir estates on Skye and the Sinclair of Ulbster estate in Caithness.[29] The estate papers of three key Skye landlords were chosen for two reasons. Firstly, the extent of the financial limitations or embarrassment of these estates makes them a useful contrast to the Sutherland estate, where the dukes' income was not so heavily dependent on the estate rentals. Secondly, the Skye estates were, like the Sutherland estate, unpopular and vilified by the crofting community and the wider public, for both the extent of their clearances in earlier decades and their treatment of crofting tenants up to and during the Crofters War. They, therefore, provide both a useful contrast to and comparison with Sutherland. The Ulbster estate was chosen as a contrast to the Sutherland estate; although the land there was similar to that in much of eastern Sutherland, and the estate had fewer financial problems than the Macdonald estates, they also had far fewer crofting tenants. What this meant for policy formation and investment strategy provides an interesting contrast with the Sutherland estate. The Cromartie estate was actually part of the Sutherland empire up to 1893, brought into the family by the 3rd Duke's first wife, Anne Hay Mackenzie.[30] The upper estate management was therefore the same as that in Sutherland, creating some common ground between the two estates, but also highlighting some key differences, principally that of the precarious financial position of the Cromartie estate.[31]

A range of other sources has been used to broaden the perspective of the book generally and to put the Sutherland estate more firmly into its geographical and political context, including contemporary newspapers, both 'crofting' and 'landlord' in view. Principally, however, it has been government records that have provided the other main perspective on the estate. These include Parliamentary papers, ranging from the records

[28] O. Geddes and A. Tindley, 'Who Owns History – archivists or users? The Sutherland Estate Papers: a case study', *Scottish Archives*, 13 (2007), 27–9.

[29] National Archives of Scotland [hereafter NAS], Cromartie Estate Papers, GD 305; Armadale Castle, Macdonald MSS, Skye; Sinclair of Ulbster MSS, Thurso; Highland Council Archives, D123, Kilmuir Estate MSS; Dunvegan Castle, MacLeod of MacLeod MSS.

[30] E. Richards and M. Clough, *Cromartie: Highland life, 1650–1914* (Aberdeen, 1989), 378.

[31] Richards and Clough, *Cromartie*, 246, 248, 252–5.

of the Crofters Commission (1886–1912), the Congested Districts Board (1897–1911), and the Scottish Office.[32] The use of these records has led to consideration as to how the estate, the Sutherland crofters and the government interacted and dealt with one another, and has exposed the possibilities for conflict, given the different pressures and desires driving the three groups. It is the records of the estate management which are central to this book, however, in all their complexity and contradictory perspectives.

[32] NAS, AF67 Crofting Files; AF42 Congested Districts Board Files; Papers of the High Court of Justiciary, JC26; Papers of the Sheriff Court of Dornoch, SC9/47.

CHAPTER ONE

'The condition of its peasantry is wonderfully higher in every respect': The Sutherland Estate, 1850–70[1]

Introduction

While acknowledging pockets of economic crisis, the decades between the end of the Highland Famine and the start of the Crofters War in 1882 have been tentatively labelled by Hunter as a 'period of relative prosperity'.[2] Economic recovery after the famine, helped in turn by rising agricultural prices and stricter estate policies as to subdivision of crofts, led to slowly improving living standards for most of the crofting population of the Highlands.[3] For British agriculture as a whole this period has been seen as a golden age of high prices, investment in the new technologies of 'high farming' and increasing rental income.[4] Other historians present a more pessimistic view of the crofting economy, however, pointing to the fragility of this economic recovery, most famously in the downturn in 1880–1, which has been identified as a major impetus for the outbreak of agitation in 1882.[5] One of the key concerns of both Highland estate managements and central and local government was the fact that since the famine, the numbers on poor rolls across the region had been increasing, instead of decreasing.[6] The Sutherland estate's responses to these seemingly intractable problems will be examined in this chapter. The attitude of the estate management towards the small tenants saw very little change, however; being a combination of exasperation, anger, fear and as a burden, both financial and social, on their landlord.[7]

[1] National Library of Scotland [hereafter NLS], Sutherland Estates Papers, Acc. 10225, Policy Papers, G. Loch to Peacock, 14 Dec. 1868.

[2] J. Hunter, *The Making of the Crofting Community* (Edinburgh, 1976), 119–20; T. M. Devine, *Clanship to Crofters' War: the Social Transformation of the Scottish Highlands* (Manchester, 1994), 200, 206–7.

[3] Hunter, *Making of the Crofting Community*, 107–11.

[4] G. E. Mingay, *Land and Society in England, 1750–1980* (London, 1994), 195–6.

[5] T. M. Devine, *The Great Highland Famine: hunger, emigration and the Scottish Highlands in the nineteenth century* (Edinburgh, 1988), 83–104. This included a collapse in sheep farming incomes: W. Orr, *Deer Forests, Landlords and Crofters: the Western Highlands in Victorian and Edwardian times* (Edinburgh, 1982), 13–17.

[6] PP 1859 *Thirteenth Annual Report of the Board of Supervision for the Relief of the Poor in Scotland*, vi.

[7] W. E. Vaughan, *Landlord and Tenant in Mid-Victorian Ireland* (Oxford, 1994), 104.

The response of the crofters and cottars of the estate to continuing economic difficulties and estate management policy will also be considered, particularly through agitation. Although on nothing like the scale seen in the 1880s, crofter agitation was a fairly regular occurrence on the Sutherland estate from the 1850s. For instance, in April 1851, Evander McIver, the Scourie factor, wrote to James Loch, commissioner for the Sutherland estates, reporting rebellion among the crofting tenants of Elphin, Assynt:

> When I think of the very awkward position in which we are placed, with the law set at defiance and the people who did so glorying in it, and wholly disregarding our authority and wishes, and when I reflect on the dangerous tendency which allowing the people to have the upper hand and no legal notice taken of them, I cannot but look to the future with doubt and apprehension.[8]

The origins of this dire proclamation can be found in the preceding January, when McIver suggested that as the Elphin crofters were in arrear of rent, a portion of their common grazing should be removed and added to Cromault sheep farm, which would additionally 'stimulate the tenants of these townships to pay more punctually'.[9] Summonses of removal were issued in early February 1851; to McIver's surprise and Loch's consternation, the sheriff officer who was sent to Elphin to serve the summonses was promptly deforced.[10] Fear of attracting unwanted and unfavourable publicity precipitated a loss of nerve on the part of the 2nd Duke and Loch. No further legal action was taken and the grazing was left for the Elphin people.[11]

By June, McIver wrote that 'the spirit displayed at Elphin is fast spreading in the district, and I fear we are to reap bitter fruits from the passiveness with which the Elphin people were treated for their illegal and violent conduct'.[12] Another pasture dispute, this time with the township of Achniskill, blew up when McIver tried to annex a section of the township's pasture to the Inn at Rhicoinich. McIver was sufficiently concerned to go to Achniskill himself, and found that 'all the men were absent but the women turned out with violence and virulence which I have never seen and I saw the best course was to leave them and to apply to the legal authorities'.[13]

[8] NLS, Sutherland Estates Papers, Dep. 313, 1181, McIver to Loch, 25 Apr. 1851.

[9] NLS, Dep. 313, 1181, McIver to Loch, 3 Jan. 1851.

[10] NLS, Dep. 313, 1181, McIver to Loch, 28 Mar. 1851. Deforcement is a Scottish legal term, meaning a legal official has been physically prevented from carrying out his duties; E. Richards, *The Leviathan of Wealth: the Sutherland fortune in the Industrial Revolution* (London, 1973), 272.

[11] NLS, Dep. 313, 1181, Loch to McIver, 24 Jun. 1851; Loch to Duke, 24 Jun. 1851; Richards, *Leviathan of Wealth*, 272.

[12] NLS, Dep. 313, 1181, McIver to Loch, 20 Jun. 1851.

[13] NLS, Dep. 313, 1181, McIver to Loch, 20 Jun. 1851.

McIver believed that the violence seen in Achniskill was a direct result of the lenient approach the upper estate management had taken towards the Elphin deforcers and felt that an example had to be made to save the estate from further violence:

> One of them [an Achniskill tenant] told the ground officer blood must be shed before they would yield – nothing but the strong arm of the Law put in force with decision will arrest the feeling now so common in the minds of the people of this district, and if I am to continue in it, I cannot undertake to carry on my duties unless assisted in punishing those who display such a spirit.[14]

This was the first occasion on which McIver would threaten to resign in his fifty-year tenure as Scourie factor, though it would not be the last. McIver felt that nothing less than the rights of property and his authority to enforce them was at stake, but Loch was less certain. He saw the necessity for decisive action, but was wary from the bitter experiences of the 1810s of both bad publicity for the estate and the long-term impact of the removal policy: 'there is no doubt that the people must not be permitted to perpetually violate the law, but it requires us on the other hand to be very careful not to unite them in a common interest to oppose it'.[15] McIver eventually resolved the dispute, reporting in October 1851 that 'after considerable delay and negotiation which required to be conducted with care and tact, I have without appearing to interfere got the Achniskill tenants to send me the enclosed letter [of capitulation]'.[16] It had taken the estate management over nine months to resolve a minor grazing dispute with one township of small tenants.

This chapter has begun with this controversial, but not uncommon, episode because it illustrates a number of key patterns in the Sutherland estate management. The first of these is the ducal family's increasing aversion to the clearance policy, particularly when it was resisted; concern to protect their fragile public image was, by 1851, more important to them than maintaining crofter discipline. Secondly, continuing adjustments to tenancy boundaries initiated by the estate management generated low level but frequent conflict with the small tenants. Although there were no clearances on the scale seen in the early nineteenth century, regular adjustments were made, creating numerous flashpoints throughout the period. Thirdly, frequent inter-managerial conflict, most commonly between the upper management of commissioner and duke and those 'on the ground', factors and ground officers, was endemic and clearly detrimental to the efficient running of the estate. Fourthly, the actions of the Achniskill crofters, both in their tactics in opposition to estate policy and their desperate

[14] NLS, Dep. 313, 1181, McIver to Loch, 20 Jun. 1851.
[15] NLS, Dep. 313, 1181, Loch to McIver, 24 Jun. 1851; Richards, *Leviathan of Wealth*, 261; Vaughan, *Landlord and Tenant*, 112.
[16] NLS, Dep. 313, 1516, McIver to Loch, 21 Oct. 1851.

economic position, were replicated across the whole of the estate.[17] This chapter will consider these issues of estate management philosophies and practice, and the impact of continuing economic problems in the region, for the estate, crofters and sheep farming tenants.

'Holds up the management to public condemnation': the Sutherland Estate staff and finances[18]

This section will examine two key aspects of the Sutherland estate; its financial structure and the duties and responsibilities of its staff. The 1850s saw a high turnover of staff, at the top level of commissioner and among the factors: such a widespread change would not be repeated until the 1880s, and the process would be fraught with tension and bitterness. How new factors were recruited and what their duties were will be outlined, as will their attitudes towards their role and status, and the many tenants, both large and small, that they managed.

The Sutherland estate management was a complex structure; at the top was the duke of Sutherland, who delegated most of the day-to-day running of his estates, businesses and investments to his commissioner.[19] The commissioners were far more than land managers, however; they were influential men in their own right, exemplified by the Loch dynasty, which ran the Sutherland estates in England and Scotland from 1812 to 1879. Both James Loch and his son and successor to the commissionership, George Loch, were MPs, and both trained for the Bar.[20] James Loch developed an elaborate style of management in which he was immersed in every aspect of estate management and the ducal finances: no detail was too small for him.[21] Although such minutiae as poaching cases and building repairs could easily have been left to the factors, he was also arbiter on much more important issues.[22] James Loch did not have a happy contemporary reputation and was described as 'a man of iron will and seemed to carry out his views with despotic authority.'[23] This was not only the view of the crofters, or interested observers, but at times the factors too.[24] All action taken by the factors or ground officers had to be sanctioned by the commissioner, from bringing actions against crofters in the Small Debt Court, to the creation

[17] Agitation periodically flared up on other Highland estates in this period, which has generally been considered by historians as peaceful: for instance, Highland Council Archive [hereafter HCA], Papers of Christie and Ferguson, solicitors, Kilmuir Estate MSS, D123/1v, William Fraser to Alex. Macdonald, 3 Mar. 1865.

[18] NLS, Dep. 313, 1542, Crawford to Loch, 17 Oct. 1859.

[19] See Appendix for a full description of the estate staff, 1850–1920.

[20] Richards, *Leviathan of Wealth*, 19, 23.

[21] Richards, *Leviathan of Wealth*, 25–6, 32.

[22] NLS, Dep. 313, 1182, J. Loch to 2nd Duke, 3 Jun. 1852.

[23] J. Mitchell, *Reminiscences of my Life in the Highlands*, vol. II (1884: Newton Abbot, 1971), 93.

[24] E. Richards, *The Highland Clearances: people, landlords and rural turmoil* (Edinburgh, new edn 2008), 154–5.