

As the practice of contracting for black-mall was an obvious encouragement to rapine, and a great obstacle to the course of justice, it was, by the statute 1567, chap. 21, declared a capital crime, both on the part of him who levied and him who paid this sort of tax. But the necessity of the case prevented the execution of this severe law, I believe, in any one instance; and men went on submitting to a certain unlawful imposition, rather than run the risk of utter ruin,—just as it is now found difficult or impossible to prevent those who have lost a very large sum of money by robbery, from compounding with the felons for restoration of a part of their booty.

At what rate Rob Roy levied black-mall I never heard stated; but there is a formal contract, by which his nephew, in 1741, agreed with various landholders of estates in the counties of Perth, Stirling, and Dumbarton, to recover cattle stolen from them, or to pay the value within six months of the loss being intimated, if such intimation were made to him with sufficient despatch, in consideration of a payment of £5 on each £100 of valued rent, which was not a very heavy insurance. Petty thefts were not included in the contract; but the theft of one horse, or one head of black cattle, or of sheep exceeding the number of six, fell under the agreement.

Rob Roy's profits upon such contracts brought him in a considerable revenue in money or cattle, of which he made a popular use; for he was publicly liberal, as well as privately beneficent. The minister of the parish of Balquhider, whose name was Robinson, was at one time threatening to pursue the parish for an augmentation of his stipend. Rob Roy took an opportunity to assure him that he would do well to abstain from this new exaction—a hint which the minister did not fail to understand. But to make him some indemnification, MacGregor presented him every year with a cow and a fat sheep; and no scruples as to the mode in which the donor came by them, are said to have affected the reverend gentleman's conscience.

The following account of the proceedings of Rob Roy, on an application to him from one of his contractors, had in it something very interesting to me, as told by an old countryman in the Lennox, who was present on the expedition. But as there is no point of marked incident in the story, and as it must necessarily be without the half-frightened, half-bewildered look, with which the narrator accompanied his recollections, it may possibly lose its effect when transferred to paper.

My informant stated himself to have been a lad of fifteen, living with his father on the estate of a gentleman in the Lennox, whose name I have forgotten, in the capacity of herd. On a fine morning in the end of October, the period when such calamities were almost always to be apprehended, they found the Highland thieves had been down upon them, and swept away ten or twelve head of cattle. Rob Roy was sent for, and came with

a party of seven or eight armed men. He heard with great gravity all that could be told him of the circumstances of the *creagh*, and expressed his confidence that the *herd-widdiefous** could not have carried their booty far, and that he should be able to recover them. He desired that two Lowlanders should be sent on the party, as it was not to be expected that any of his gentlemen would take the trouble of driving the cattle when he should recover possession of them. My informant and his father were despatched on the expedition. They had no good will to the journey; nevertheless, provided with a little food, and with a dog to help them to manage the cattle, they set off with MacGregor. They travelled a long day's journey in the direction of the mountain Benvoirlich, and slept for the night in a ruinous hut or bothy. The next morning they resumed their journey among the hills, Rob Roy directing their course by signs and marks on the heath, which my informant did not understand.

About noon, Rob commanded the armed party to halt, and to lie couched in the heather where it was thickest. "Do you and your son," he said to the oldest Lowlander, "go boldly over the hill;—you will see beneath you, in a glen on the other side, your master's cattle feeding, it may be, with others; gather your own together, taking care to disturb no one else, and drive them to this place. If any one speak to, or threaten you, tell them that I am here, at the head of twenty men."—"But what if they abuse us or kill us?" said the Lowland peasant, by no means delighted at finding the embassy imposed on him and his son. "If they do you any wrong," said Rob, "I will never forgive them as long as I live." The Lowlander was by no means content with this security, but did not think it safe to dispute Rob's injunctions.

He and his son climbed the hill, therefore, found a deep valley, where there grazed, as Rob had predicted, a large herd of cattle. They cautiously selected those which their master had lost, and took measures to drive them over the hill. As soon as they began to remove them, they were surprised by hearing cries and screams; and looking around in fear and trembling, they saw a woman seeming to have started out of the earth, who *fyted* at them, that is, scolded them, in Gaelic. When they contrived, however, in the best Gaelic they could muster, to deliver the message Rob Roy told them, she became silent, and disappeared without offering them any further annoyance. The chief heard their story on their return, and spoke with great complacency of the art which he possessed of putting such things to rights without any unpleasant bustle. The party were now on their road home, and the danger, though not the fatigue, of the expedition was at an end.

They drove on the cattle with little repose until it was nearly dark, when Rob proposed to halt

* Mad herdsmen,—a name given to cattle-stealers.

for the night upon a wide moor, across which a cold north-east wind, with frost on its wing, was whistling to the tune of the Pipers of Strath-Dearn.* The Highlanders; sheltered by their plaids, lay down in the heath comfortably enough, but the Lowlanders had no protection whatever. Rob Roy observing this, directed one of his followers to afford the old man a portion of his plaid; "for the callant (boy) he may," said the freebooter, "keep himself warm by walking about and watching the cattle." My informant heard this sentence with no small distress; and as the frost wind grew more and more cutting, it seemed to freeze the very blood in his young veins. He had been exposed to weather all his life, he said, but never could forget the cold of that night; in so much that, in the bitterness of his heart, he cursed the bright moon for giving no heat with so much light. At length the sense of cold and weariness became so intolerable, that he resolved to desert his watch to seek some repose and shelter. With that purpose, he couched himself down behind one of the most bulky of the Highlanders, who acted as lieutenant to the party. Not satisfied with having secured the shelter of the man's large person, he coveted a share of his plaid, and by imperceptible degrees drew a corner of it round him. He was now comparatively in paradise, and slept sound till daybreak, when he awoke, and was terribly afraid on observing that his nocturnal operations had altogether uncovered the dhuniewassell's neck and shoulders, which, lacking the plaid which should have protected them, were covered with *cranreuch* (i. e., hoar frost). The lad rose in great dread of a beating, at least, when it should be found how luxuriously he had been accommodated at the expense of a principal person of the party. Good Mr. Lieutenant, however, got up and shook himself, rubbing off the hoar frost with his plaid, and muttering something of a *cavil neight*. They then drove on the cattle, which were restored to their owner without farther adventure.—The above can hardly be termed a tale, but yet it contains materials both for the poet and artist.

It was perhaps about the same time that, by a rapid march into the Balquhider hills at the head of a body of his own tenantry, the Duke of Montrose actually surprised Rob Roy, and made him prisoner. He was mounted behind one of the Duke's followers, named James Stewart, and made fast to him by a horse-girth. The person who had him thus in charge was grandfather of the intelligent man of the same name, now deceased, who lately kept the inn in the vicinity of Loch Katrine, and acted as a guide to visitors through that beautiful scenery. From him I learned the story many years before he was either a publican, or a guide, except to moorfowl shooters.—It was evening (to resume the story), and the Duke was pressing on to lodge his

prisoner, so long sought after in vain, in some place of security, when, in crossing the Teith or Forth, I forget which, MacGregor took an opportunity to conjure Stewart, by all the ties of old acquaintance and good neighborhood, to give him some chance of an escape from an assured doom. Stewart was moved with compassion, perhaps with fear. He slipped the girth-buckle, and Rob dropping down from behind the horse's croupe, dived, swam, and escaped, pretty much as described in the Novel. When James Stewart came on shore, the Duke hastily demanded where his prisoner was; and as no distinct answer was returned, instantly suspected Stewart's connivance at the escape of the outlaw; and, drawing a steel pistol from his belt, struck him down with a blow on the head, from the effects of which, his descendant said, he never completely recovered.

In the success of his repeated escapes from the pursuit of his powerful enemy, Rob Roy at length became wanton and facetious. He wrote a mock challenge to the Duke, which he circulated among his friends to amuse them over a bottle. The reader will find this document in the Appendix.* It is written in a good hand, and not particularly deficient in grammar or spelling. Our Southern readers must be given to understand that it was a piece of humor,—a *quizz*, in short,—on the part of the outlaw, who was too sagacious to propose such a rencontre in reality. This letter was written in the year 1719.

In the following year Rob Roy composed another epistle, very little to his own reputation, as he therein confesses having played booty during the civil war of 1715. It is addressed to General Wade, at that time engaged in disarming the Highland clans, and making military roads through the country. The letter is a singular composition. It sets out the writer's real and unfeigned desire to have offered his service to King George, but for his liability to be thrown into jail for a civil debt, at the instance of the Duke of Montrose. Being thus debarred from taking the right side, he acknowledged he embraced the wrong one, upon Falstaff's principle, that since the King wanted men and the rebels soldiers, it were worse shame to be idle in such a stirring world, than to embrace the worst side, were it as black as rebellion could make it. The impossibility of his being neutral in such a debate, Rob seems to lay down as an undeniable proposition. At the same time, while he acknowledges having been forced into an unnatural rebellion against King George, he pleads that he not only avoided acting offensively against his Majesty's forces on all occasions, but, on the contrary, sent to them what intelligence he could collect from time to time; for the truth of which he refers to his Grace the Duke of Argyll. What influence this plea had on General Wade, we have no means of knowing.

Rob Roy appears to have continued to live

* The winds which sweep a wild glen in Badenoch are so called.

* Appendix, No. III. p. 27.

very much as usual. His fame, in the meanwhile, passed beyond the narrow limits of the country in which he resided. A pretended history of him appeared in London during his lifetime, under the title of the Highland Rogue. It is a catch-penny publication, bearing in front the effigy of a species of ogre, with a beard of a foot in length; and his actions are as much exaggerated as his personal appearance. Some few of the best known adventures of the hero are told, though with little accuracy; but the greater part of the pamphlet is entirely fictitious. It is great pity so excellent a theme for a narrative of the kind had not fallen into the hands of De Foe, who was engaged at the time on subjects somewhat similar, though inferior in dignity and interest.

As Rob Roy advanced in years, he became more peaceable in his habits, and his nephew Ghlunne Dhu, with most of his tribe, renounced those peculiar quarrels with the Duke of Montrose, by which his uncle had been distinguished. The policy of that great family had latterly been rather to attach this wild tribe by kindness than to follow the mode of violence which had been hitherto ineffectually resorted to. Leases at a low rent were granted to many of the MacGregors, who had heretofore held possessions in the Duke's Highland property merely by occupancy; and Glengyle (or Black-knee), who continued to act as collector of black-mail, managed his police, as a commander of the Highland watch arrayed at the charge of Government. He is said to have strictly abstained from the open and lawless depredations which his kinsman had practised.

It was probably after this state of temporary quiet had been obtained, that Rob Roy began to think of the concerns of his future state. He had been bred, and long professed himself a Protestant; but in his later years he embraced the Roman Catholic faith,—perhaps on Mrs. Cole's principle, that it was a comfortable religion for one of his calling. He is said to have alleged as the cause of his conversion, a desire to gratify the noble family of Perth, who were then strict Catholics. Having, as he observed, assumed the name of the Duke of Argyre, his first protector, he could pay no compliment worth the Earl of Perth's acceptance save complying with his mode of religion. Rob did not pretend, when pressed closely on the subject, to justify all the tenets of Catholicism, and acknowledged that extreme unction always appeared to him a great waste of *ulzie*, or oil.*

In the last years of Rob Roy's life, his clan was involved in a dispute with one more powerful than themselves. Stewart of Appin, a chief of the tribe so named, was proprietor of a hill-farm in the Braes of Balquhiddler called Invernenty. The MacGregors of Rob Roy's tribe claimed a right to it by ancient occupancy, and declared they would oppose to the uttermost the settle-

* Such an admission is ascribed to the robber, Donald Bean Lean, in *Waverley*, p. 177.

ment of any person upon the farm not being of their own name. The Stewarts came down with two hundred men, well armed, to do themselves justice by main force. The MacGregors took the field, but were unable to muster an equal strength. Rob Roy, finding himself the weaker party, asked a parley, in which he represented that both clans were friends to the *King*, and that he was unwilling they should be weakened by mutual conflict, and thus made a merit of surrendering to Appin the disputed territory of Invernenty. Appin, accordingly, settled as tenants there, at an easy quit-rent, the MacLarens, a family dependent on the Stewarts, and from whose character for strength and bravery, it was expected that they would make their right good if annoyed by the MacGregors. When all this had been amicably adjusted, in presence of the two clans drawn up in arms near the Kirk of Balquhiddler, Rob Roy, apparently fearing his tribe might be thought to have conceded too much upon the occasion, stepped forward and said, that where so many gallant men were met in arms, it would be shameful to part without a trial of skill, and therefore he took the freedom to invite any gentleman of the Stewarts present to exchange a few blows with him for the honor of their respective clans. The brother-in-law of Appin, and second chieftain of the clan, Alaster Stewart of Invernahyle, accepted the challenge, and they encountered with broadsword and target before their respective kinsmen.* The combat lasted till Rob received a slight wound in the arm, which was the usual termination of such a combat when fought for honor only, and not with a mortal purpose. Rob Roy dropped his point, and congratulated his adversary on having been the first man who ever drew blood from him. The victor generously acknowledged, that without the advantage of youth, and the agility accompanying it, he probably could not have come off with advantage.

This was probably one of Rob Roy's last exploits in arms. The time of his death is not known with certainty, but he is generally said to have survived 1733, and to have died an aged man. When he found himself approaching his final change, he expressed some contrition for particular parts of his life. His wife laughed at these scruples of conscience, and exhorted him to die like a man, as he had lived. In reply, he rebuked her for her violent passions, and the counsels she had given him. "You have put strife," he said, "betwixt me and the best men of the country, and now you would place enmity between me and my God."

There is a tradition, no way inconsistent with the former, if the character of Rob Roy be justly

* Some accounts state, that Appin himself was Rob Roy's antagonist on this occasion. My recollection, from the account of Invernahyle himself, was as stated in the text. But the period when I received the information is now so distant, that it is possible I may be mistaken. Invernahyle was rather of low stature, but very well made, athletic, and an excellent swordsman.

considered, that while on his deathbed, he learned that a person with whom he was at enmity, proposed to visit him. "Raise me from my bed," said the invalid; "throw my plaid around me, and bring me a claymore, dirk, and pistols—it shall never be said that a foeman saw Rob Roy MacGregor defenceless and unarmed." His foeman, conjectured to be one of the MacLarens before and after mentioned, entered and paid his compliments, inquiring after the health of his formidable neighbor. Rob Roy maintained a cold haughty civility during their short conference, and so soon as he had left the house, "Now," he said, "all is over—let the piper play, *Ha til mi tulidh!*" (we return no more); and he is said to have expired before the dirge was finished.

This singular man died in bed in his own house, in the parish of Balquhiddler. He was buried in the church-yard of the same parish, where his tombstone is only distinguished by a rude attempt at the figure of a broadsword.

The character of Rob Roy is, of course, a mixed one. His sagacity, boldness, and prudence, qualities so highly necessary to success in war, became in some degree vices, from the manner in which they were employed. The circumstances of his education, however, must be admitted as some extenuation of his habitual transgressions against the law; and for his political tergiversations, he might in that distracted period plead the example of men far more powerful, and less excusable in becoming the sport of circumstances, than the poor and desperate outlaw. On the other hand, he was in the constant exercise of virtues, the more meritorious as they seem inconsistent with his general character. Pursuing the occupation of a predatory chieftain,—in modern phrase a captain of banditti,—Rob Roy was moderate in his revenge, and humane in his successes. No charge of cruelty or bloodshed, unless in battle, is brought against his memory. In like manner, the formidable outlaw was the friend of the poor, and, to the utmost of his ability, the support of the widow and the orphan—kept his word when pledged—and died lamented in his own wild country, where there were hearts grateful for his beneficence, though their minds were not sufficiently instructed to appreciate his errors.

The author perhaps ought to stop here; but the fate of a part of Rob Roy's family was so extraordinary, as to call for a continuation of this somewhat prolix account, as affording an interesting chapter, not on Highland manners alone, but on every stage of society in which the people of a primitive and half-civilized tribe are brought into close contact with a nation, in which civilisation and polity have attained a complete superiority.

Rob had five sons,—Coll, Ronald, James, Duncan, and Robert. Nothing occurs worth notice concerning three of them; but James, who was a very handsome man, seems to have had a good deal of his father's spirit, and the mantle of Dougal Ciar Mhor had apparently descended on the shoulders of Robin Oig, that is, young Robin.

Shortly after Rob Roy's death, the ill-will which the MacGregors entertained against the MacLarens again broke out, at the instigation, it was said, of Rob's widow, who seems thus far to have deserved the character given to her by her husband, as an *Até* stirring up to blood and strife. Robin Oig, under her instigation, swore that as soon as he could get back a certain gun which had belonged to his father, and had been lately at Donne to be repaired, he would shoot MacLaren, for having presumed to settle on his mother's land.* He was as good as his word, and shot MacLaren when between the stils of his plough, wounding him mortally.

The aid of a highland leech was procured, who probed the wound with a probe made out of a castock; *i. e.*, the stalk of a colewort or cabbage. This learned gentleman declared he would not venture to prescribe, not knowing with what shot the patient had been wounded. MacLaren died, and about the same time, his cattle were houghed, and his live stock destroyed in a barbarous manner.

Robin Oig, after this feat—which one of his biographers represents as the unhappy discharge of a gun—retired to his mother's house, to boast that he had drawn the first blood in the quarrel aforesaid. On the approach of troops, and a body of the Stewarts, who were bound to take up the cause of their tenant, Robin Oig absconded, and escaped all search.

The doctor already mentioned, by name Callan MacInleister, with James and Ronald, brothers to the actual perpetrator of the murder, were brought to trial. But as they contrived to represent the action as a rash deed committed by "the daft callant Rob," to which they were not accessory, the jury found their accession to the crime was Not Proven. The alleged acts of spoil and violence on the MacLarens' cattle were also found to be unsupported by evidence. As it was proved, however, that the two brothers, Ronald and James, were held and reputed thieves, they were appointed to find caution to the extent of £200 for their good behavior for seven years.†

* This fatal piece was taken from Robin Oig, when he was seized many years afterwards. It remained in possession of the magistrates before whom he was brought for examination, and now makes part of a small collection of arms belonging to the author. It is a Spanish-barrelled gun, marked with the letters R. M. C., for Robert MacGregor Campbell.

† The author is uncertain whether it is worth while to mention, that he had a personal opportunity of observing, even in his own time, that the king's writ did not pass quite current in the Braes of Balquhiddler. There were very considerable debts due by Stewart of Appin (chiefly to the author's family), which were likely to be lost to the creditors if they could not be made available out of this same farm of Invernenty, the scene of the murder done upon MacLaren.

His family, consisting of several strapping deer-stalkers, still possessed the farm, by virtue of a long lease, for a tridling rent. There was no chance of any one buying it with such an encumbrance, and a transaction was entered into by the MacLarens, who, being desirous to emigrate to America, agreed to sell their lease to the creditors for £500, and to remove at the next term of Whitsunday. But whether they repented their bargain, or

The spirit of clanship was at that time so strong—to which must be added the wish to secure the adherence of stout, able-bodied, and, as the Scotch phrase then went, *pretty* men—that the representative of the noble family of Perth condescended to act openly as patron of the MacGregors, and appeared as such upon their trial. So at least the author was informed by the late Robert MacIntosh, Esq., advocate. The circumstance may, however, have occurred later than 1736—the year in which this first trial took place.

Robin Oig served for a time in the 42d regiment, and was present at the battle of Fontenoy, where he was made prisoner and wounded. He was exchanged, returned to Scotland, and obtained his discharge. He afterwards appeared openly in the MacGregor's country; and, notwithstanding his outlawry, married a daughter of Graham of Drunkie, a gentleman of some property. His wife died a few years afterwards.

The insurrection of 1745 soon afterwards called the MacGregors to arms. Robert MacGregor of Glencarnoch, generally regarded as the chief of the whole name, and grandfather of Sir John, whom the clan received in that character, raised a MacGregor regiment, with which he joined the standard of the Chevalier. The race of Ciar Mhor, however, affecting independence, and commanded by Glengyle and his cousin James Roy MacGregor, did not join this kindred corps, but united themselves to the levies of the titular Duke of Perth, until William MacGregor Drummond of Bolhaldie, whom they regarded as head of their branch of Clan Alpine, should come over from France. To cement the union after the Highland fashion,

desired to make a better, or whether from a mere point of honor, the MacLarens declared they would not permit a summons of removal to be executed against them, which was necessary for the legal completion of the bargain. And such was the general impression that they were men capable of resisting the legal execution of warning by very effectual means, no king's messenger would execute the summons without the support of a military force. An escort of a sergeant and six men were obtained from a Highland regiment lying in Stirling; and the author, then a writer's apprentice, equivalent to the honorable situation of an attorney's clerk, was invested with the superintendence of the expedition, with directions to see that the messenger discharged his duty fully, and that the gallant sergeant did not exceed his part by committing violence or plunder. And thus it happened, oddly enough, that the author first entered the romantic scenery of Loch Katrine, of which he may perhaps say he has somewhat extended the reputation, riding in all the dignity of danger, with a front and rear guard, and loaded arms. The sergeant was absolutely a Highland Sergeant Kite, full of stories of Rob Roy and of himself, and a very good companion. We experienced no interruption whatever, and when we came to Invermenty, found the house deserted. We took up our quarters for the night, and used some of the victuals which we found there. On the morning we returned as unmolested as we came.

The MacLarens, who probably never thought of any serious opposition, received their money and went to America, where, having had some slight share in removing them from their *paupera regna*, I sincerely hope they prospered.

The rent of Invermenty instantly rose from £10 to £70 or £80; and when sold, the farm was purchased (I think by the late Laird of MacNab) at a price higher in proportion than what even the modern rent authorized the parties interested to hope for.

James laid down the name of Campbell, and assumed that of Drummond, in compliment to Lord Perth. He was also called James Roy, after his father, and James Mhor, or Big James, from his height. His corps, the relics of his father Rob's band, behaved with great activity; with only twelve men he succeeded in surprising and burning, for the second time, the fort at Inversnaid, constructed for the express purpose of bridling the country of the MacGregors.

What rank or command James MacGregor had, is uncertain. He calls himself Major; and Chevalier Johnstone calls him Captain. He must have held rank under Ghlune Dhu, his kinsman, but his active and audacious character placed him above the rest of his brethren. Many of his followers were unarmed; he supplied the want of guns and swords with scythe-blades set straight upon their handles.

At the battle of Prestonpans, James Roy distinguished himself. "His company," says Chevalier Johnstone, "did great execution with their scythes." They cut the legs of the horses in two—the riders through the middle of their bodies. MacGregor was brave and intrepid, but at the same time, somewhat whimsical and singular. When advancing to the charge with his company, he received five wounds, two of them from balls that pierced his body through and through. Stretched on the ground, with his head resting on his hand, he called out loudly to the Highlanders of his company, "My lads, I am not dead. By G—, I shall see if any of you does not do his duty." The victory, as is well known, was instantly obtained.

In some curious letters of James Roy,* it appears that his thigh-bone was broken on this occasion, and that he, nevertheless, rejoined the army with six companies, and was present at the battle of Culloden. After that defeat, the clan MacGregor kept together in a body, and did not disperse till they had returned into their own country. They brought James Roy with them in a litter; and, without being particularly molested, he was permitted to reside in the MacGregor's country along with his brothers.

James MacGregor Drummond was attainted for high treason with persons of more importance. But it appears he had entered into some communication with Government, as, in the letters quoted, he mentions having obtained a pass from the Lord Justice-Clerk in 1747, which was a sufficient protection to him from the military. The circumstance is obscurely stated in one of the letters already quoted, but may, perhaps, joined to subsequent incidents, authorize the suspicion that James, like his father, could look at both sides of the cards. As the confusion of the country subsided, the MacGregors, like foxes which had baffled the hounds, drew back to their old haunts, and lived unmolested. But an atrocious outrage, in which the sons of Rob Roy were con-

cerned, brought at length on the family the full vengeance of the law.

James Roy was a married man, and had fourteen children. But his brother, Robin Oig, was now a widower; and it was resolved, if possible, that he should make his fortune by carrying off and marrying, by force if necessary, some woman of fortune from the Lowlands.

The imagination of the half-civilized Highlanders was less shocked at the idea of this particular species of violence, than might be expected from their general kindness to the weaker sex when they make part of their own families. But all their views were tinged with the idea that they lived in a state of war; and in such a state, from the time of the siege of Troy to "the moment when Pervisa fell,"* the female captives are, to uncivilized victors, the most valuable part of the booty—

"The wealthy are slaughtered, the lovely are spared."

We need not refer to the rape of the Sabines, or to a similar instance in the Book of Judges, for evidence that such deeds of violence have been committed upon a large scale. Indeed, this sort of enterprise was so common along the Highland line as to give rise to a variety of songs and ballads. † The annals of Ireland, as well as those of Scotland, prove the crime to have been common in the more lawless parts of both countries; and any woman who happened to please a man of spirit who came of a good house, and possessed a few chosen friends, and a retreat in the mountains, was not permitted the alternative of saying him nay. What is more, it would seem that the women themselves, most interested in the immunities of their sex, were among the lower classes, accustomed to regard such marriages as that which is presently to be detailed as "pretty Fanny's way," or rather, the way of Donald with pretty Fanny. It is not a great many years since a respectable woman, above the lower rank of life, expressed herself very warmly to the author on his taking the freedom to censure the behavior of the MacGregors on the occasion in question. She said "that there was no use in giving a bride too much choice upon such occasions; that the marriages were the happiest lang syne which had been done off hand." Finally, she averred that her "own mother had never seen her father till the night he brought her up from the Lennox, with ten head of black cattle, and there had not been a happier couple in the country."

James Drummond and his brethren having similar opinions with the author's old acquaintance, and debating how they might raise the fallen fortunes of their clan, formed a resolution to settle their brother's fortune by striking up an advantageous marriage betwixt Robin Oig and one Jane Key, or Wright, a young woman scarce twenty years old, and who had been left about two months a widow by the death of her hus-

* Childe Harold's Pilgrimage, Canto II.

† See Appendix, No. VI. p. 29.

band. Her property was estimated at only from 16,000 to 18,000 merks, but it seems to have been sufficient temptation to these men to join in the commission of a great crime.

This poor young victim lived with her mother in her own house at Edinbilly, in the parish of Balfron and shire of Stirling. At this place, in the night of 3d December, 1750, the sons of Rob Roy, and particularly James Mhor and Robin Oig, rushed into the house where the object of their attack was resident, presented guns, swords, and pistols to the males of the family, and terrified the women by threatening to break open the doors if Jean Key was not surrendered, as, said James Roy, "his brother was a young fellow determined to make his fortune." Having, at length, dragged the object of their lawless purpose from her place of concealment, they tore her from her mother's arms, mounted her on a horse before one of the gang, and carried her off in spite of her screams and cries, which were long heard after the terrified spectators of the outrage could no longer see the party retreat through the darkness. In her attempts to escape, the poor young woman threw herself from the horse on which they had placed her, and in so doing wrenched her side. They then laid her double over the pommel of the saddle, and transported her through the mosses and moors till the pain of the injury she had suffered in her side, augmented by the uneasiness of her posture, made her consent to sit upright. In the execution of this crime they stopped at more houses than one, but none of the inhabitants dared interrupt their proceedings. Amongst others who saw them was that classical and accomplished scholar the late Professor William Richardson of Glasgow, who used to describe as a terrible dream their violent and noisy entrance into the house where he was then residing. The Highlanders filled the little kitchen, brandishing their arms, demanding what they pleased, and receiving whatever they demanded. James Mhor, he said, was a tall, stern, and soldier-like man. Robin Oig looked more gentle; dark, but yet ruddy in complexion—a good-looking young savage. Their victim was so dishevelled in her dress, and forlorn in her appearance and demeanor, that he could hardly tell whether she was alive or dead.

The gang carried the unfortunate woman to Rowerdennan, where they had a priest unscrupulous enough to read the marriage service, while James Mhor forcibly held the bride up before him; and the priest declared the couple man and wife, even while she protested against the infamy of his conduct. Under the same threats of violence, which had been all along used to enforce their scheme, the poor victim was compelled to reside with the pretended husband who was thus forced upon her. They even dared to carry her to the public church of Balquhider, where the officiating clergyman (the same who had been Rob Roy's pensioner) only asked them if they were married persons. Robert MacGregor an

swered in the affirmative; the terrified female was silent.

The country was now too effectually subjected to the law for this vile outrage to be followed by the advantages proposed by the actors. Military parties were sent out in every direction to seize the MacGregors, who were for two or three weeks compelled to shift from one place to another in the mountains, bearing the unfortunate Jean Key along with them. In the meanwhile, the Supreme Civil Court issued a warrant sequestering the property of Jean Key, or Wright, which removed out of the reach of the actors in the violence the prize which they expected. They had, however, adopted a belief of the poor woman's spirit being so far broken that she would prefer submitting to her condition, and adhering to Robin Oig as her husband, rather than incur the disgrace of appearing in such a cause in an open court. It was, indeed, a delicate experiment; but their kinsman Glengyle, chief of their immediate family, was of a temper averse to lawless proceedings; * and the captive's friends having had recourse to his advice, they feared that he would withdraw his protection if they refused to place the prisoner at liberty.

The brethren resolved therefore to liberate the unhappy woman, but previously had recourse to every measure which should oblige her, either from fear or otherwise, to own her marriage with Robin Oig. The cailliachs (old Highland hags) administered drugs, which were designed to have the effect of philtres, but were probably deleterious. James Mhor at one time threatened, that if she did not acquiesce in the match, she would find that there were enough of men in the Highlands to bring the heads of two of her uncles who were pursuing the civil lawsuit. At another time he fell down on his knees, and confessed he had been accessory to wronging her, but begged she would not ruin his innocent wife and large family. She was made to swear she would not prosecute the brethren for the offence they had committed; and she was obliged by threats, to subscribe papers which were tendered to her, intimating that she was carried off in consequence of her own previous request.

James Mhor Drummond, accordingly, brought his pretended sister-in-law to Edinburgh, where, for some little time, she was carried about from one house to another, watched by those with whom she was lodged, and never permitted to go out alone, or even to approach the window. The Court of Sessions, considering the peculiarity of the case, and regarding Jean Key as being still under some forcible restraint, took her person under their own special charge, and appointed her to reside in the family of Mr. Wightman of Maulds-

* Such, at least, was his general character; for when James Mhor, while perpetrating the violence at Edinbilly, called out, in order to overawe opposition, that Glengyle was lying in the moor with a hundred men to patronize his enterprise, Jean Key told him he lied, since she was confident Glengyle would never countenance so soundly a business.

ley, a gentleman of respectability, who was married to one of her near relatives. Two sentinels kept guard on the house day and night—a precaution not deemed superfluous when the MacGregors were in question. She was allowed to go out whenever she chose, and to see whomsoever she had a mind, as well as the men of law employed in the civil suit on either side. When she first came to Mr. Wightman's house, she seemed broken down with affright and suffering, so changed in features that her mother hardly knew her, and so shaken in mind that she scarce could recognise her parent. It was long before she could be assured that she was in perfect safety. But when she at length received confidence in her situation, she made a judicial declaration, or affidavit, telling the full history of her wrongs, imputing to fear her former silence on the subject, and expressing her resolution not to prosecute those who had injured her, in respect of the oath she had been compelled to take. From the possible breach of such an oath, though a compulsory one, she was relieved by the forms of Scottish jurisprudence, in that respect more equitable than those of England, prosecutions for crimes being always conducted at the expense and charge of the King, without inconvenience or cost to the private party who has sustained the wrong. But the unhappy sufferer did not live to be either accuser or witness against those who had so deeply injured her.

James Mhor Drummond had left Edinburgh, so soon as his half-dead prey had been taken from his clutches. Mrs. Key, or Wright, was released from her species of confinement there, and removed to Glasgow, under the escort of Mr. Wightman. As they passed the Hill of Shotts, her escort chanced to say, "This is a very wild spot: what if the MacGregors should come upon us?"—"God forbid!" was her immediate answer, "the very sight of them would kill me." She continued to reside at Glasgow, without venturing to return to her own house at Edinbilly. Her pretended husband made some attempts to obtain an interview with her, which she steadily rejected. She died on the 4th October, 1751. The information for the Crown hints that her decease might be the consequence of the usage she received. But there is a general report that she died of the small-pox.

In the meantime, James Mhor, or Drummond, fell into the hands of justice. He was considered as the instigator of the whole affair. Nay, the deceased had informed her friends, that on the night of her being carried off, Robin Oig, moved by her cries and tears, had partly consented to let her return, when James came up, with a pistol in his hand, and, asking whether he was such a coward as to relinquish an enterprise in which he had risked everything to procure him a fortune, in a manner compelled his brother to persevere. James's trial took place on 18th July, 1752, and was conducted with the utmost fairness and impartiality. Several witnesses, all of the Mac-

Gregor family, swore that the marriage was performed with every appearance of acquiescence on the woman's part; and three or four witnesses, one of them sheriff-substitute of the county, swore she might have made her escape if she wished, and the magistrate stated that he offered her assistance if she felt desirous to do so. But when asked why he, in his official capacity, did not arrest the MacGregors, he could only answer, that he had not force sufficient to make the attempt.

The judicial declarations of Jean Key, or Wright, stated the violent manner in which she had been carried off, and they were confirmed by many of her friends, from her private communications with them, which the event of her death rendered good evidence. Indeed, the fact of her abduction (to use a Scottish law term) was completely proved by impartial witnesses. The unhappy woman admitted that she had pretended acquiescence in her fate on several occasions, because she dared not trust such as offered to assist her to escape, not even the sheriff-substitute.

The jury brought in a special verdict, finding that Jean Key, or Wright, had been forcibly carried off from her house as charged in the indictment, and that the accused had failed to show that she was herself privy and consenting to this act of outrage. But they found the forcible marriage, and subsequent violence, was not proved; and also found, in alleviation of the panel's guilt in the premises, that Jean Key did afterwards acquiesce in her condition. Eleven of the jury, using the names of other four who were absent, subscribed a letter to the Court, stating it was their purpose and desire, by such special verdict, to take the panel's case out of the class of capital crimes.

Learned informations (written arguments) on the import of the verdict, which must be allowed a very mild one in the circumstances, were laid before the High Court of Justiciary. This point is very learnedly debated in these pleadings by Mr. Grant, Solicitor for the Crown, and the celebrated Mr. Lockhart, on the part of the prisoner; but James Mhor did not wait the event of the Court's decision.

He had been committed to the Castle of Edinburgh on some reports that an escape would be attempted. Yet he contrived to achieve his liberty even from that fortress. His daughter had the address to enter the prison, disguised as a cobbler; bringing home work, as she pretended. In this cobbler's dress her father quickly arrayed himself. The wife and daughter of the prisoner were heard by the sentinels scolding the supposed cobbler for having done his work ill, and the man came out with his hat slouched over his eyes, and grumbling, as if at the manner in which they had treated him. In this way the prisoner passed all the guards without suspicion, and made his escape to France. He was afterwards outlawed by the Court of Justiciary, which proceeded to the trial of Duncan MacGregor, or Drummond, his brother.

15th January, 1753. The accused had unquestionably been with the party which carried off Jean Key; but no evidence being brought which applied to him individually and directly, the jury found him not guilty—and nothing more is known of his fate.

That of James MacGregor, who, from talent and activity, if not by seniority, may be considered as head of the family, has been long misrepresented; as it has been generally averred in Law Reports, as well as elsewhere, that his outlawry was reversed, and that he returned and died in Scotland. But the curious letters published in Blackwood's Magazine for December, 1817, show this to be an error. The first of these documents is a petition to Charles Edward. It is dated 20th September, 1753, and pleads his service to the cause of the Stuarts, ascribing his exile to the persecution of the Hanoverian Government, without any allusion to the affair of Jean Key, or the Court of Justiciary. It is stated to be forwarded by MacGregor Drummond of Bohaldie, whom, as before mentioned, James Mhor acknowledged as his chief.

The effect which this petition produced does not appear. Some temporary relief was perhaps obtained. But, soon after, this daring adventurer was engaged in a very dark intrigue against an exile of his own country, and placed pretty nearly in his own circumstances. A remarkable Highland story must be here briefly alluded to. Mr. Campbell, of Glenure, who had been named factor for Government on the forfeited estates of Stewart of Ardsheil, was shot dead by an assassin as he passed through the wood of Lettermore, after crossing the ferry of Ballachulish. A gentleman, named James Stewart, a natural brother of Ardsheil, the forfeited person, was tried as being accessory to the murder, and condemned and executed upon very doubtful evidence; the heaviest part of which only amounted to the accused person having assisted a nephew of his own, called Allan Breck Stewart, with money to escape after the deed was done. Not satisfied with this vengeance, which was obtained in a manner little to the honor of the dispensation of justice at the time, the friends of the deceased Glenure were equally desirous to obtain possession of the person of Allan Breck Stewart, supposed to be the actual homicide. James Mhor Drummond was secretly applied to to trepan Stewart to the sea-coast, and bring him over to Britain, to almost certain death. Drummond MacGregor had kind connexions with the slain Glenure; and, besides, the MacGregors and Campbells had been friends of late, while the former clan and the Stewarts had, as we have seen, been recently at feud; lastly, Robert Oig was now in custody at Edinburgh, and James was desirous to do some service by which his brother might be saved. The joint force of these motives may, in James's estimation of right and wrong, have been some vindication for engaging in such an enterprise, although, as must be necessarily supposed, it

could only be executed by treachery of a gross description. MacGregor stipulated for a license to return to England, promising to bring Allan Breck thither along with him. But the intended victim was put upon his guard by two countrymen, who suspected James's intentions towards him. He escaped from his kidnapper, after, as MacGregor alleged, robbing his portmanteau of some clothes and four snuff-boxes. Such a charge, it may be observed, could scarce have been made unless the parties had been living on a footing of intimacy, and had access to each other's baggage.

Although James Drummond had thus missed his blow in the matter of Allan Breck Stewart, he used his license to make a journey to London, and had an interview, as he avers, with Lord Holderness. His Lordship, and the Under-Secretary, put many puzzling questions to him; and, as he says, offered him a situation, which would bring him bread, in the Government's service. This office was advantageous as to emolument; but in the opinion of James Drummond, his acceptance of it would have been a disgrace to his birth, and have rendered him a scourge to his country. If such a tempting offer and sturdy rejection had any foundation in fact, it probably relates to some plan of espionage on the Jacobites, which the Government might hope to carry on by means of a man who, in the matter of Allan Breck Stewart, had shown no great nicety of feeling. Drummond MacGregor was so far accommodating as to intimate his willingness to act in any station in which other gentlemen of honor served, but not otherwise;—an answer which, compared with some passages of his past life, may remind the reader of Ancient Pistol standing upon his reputation.

Having thus proved intractable, as he tells the story, to the proposals of Lord Holderness, James Drummond was ordered instantly to quit England.

On his return to France, his condition seems to have been utterly disastrous. He was seized with fever and gravel—ill, consequently, in body, and weakened and dispirited in mind. Allan Breck Stewart threatened to put him to death in revenge of the designs he had harbored against him.* The Stewart clan were in the highest de-

* Allan Breck Stewart was a man likely in such a matter to keep his word. James Drummond MacGregor and he, like Katharine and Petruccio, were well matched "for a couple of quiet ones." Allan Breck lived till the beginning of the French Revolution. About 1789, a friend of mine, then residing at Paris, was invited to see some procession which was supposed likely to interest him, from the windows of an apartment occupied by a Scottish Benedictine priest. He found sitting by the fire, a tall, thin, raw-boned, grim-looking, old man, with the petit croix of St. Louis. His visage was strongly marked by the irregular projections of the cheek-bones and chin. His eyes were grey. His grizzled hair exhibited marks of having been red, and his complexion was weather-beaten, and remarkably freckled. Some civilities in French passed between the old man and my friend, in the course of which they talked of the streets and squares of Paris, till at length the old soldier, for such he seemed, and such he was, said with a sigh, in a sharp Highland accent, "Dell ane o' them a' is worth the Hie Street of Edinburgh!" On inquiry, this admirer of Auld Reekie, which he

gree unfriendly to him: and his late expedition to London had been attended with many suspicious circumstances, amongst which it was not the slightest that he had kept his purpose secret from his chief Bohaldie. His intercourse with Lord Holderness was suspicious. The Jacobites were probably, like Don Bernard de Castel Blazo, in Gil Blas, little disposed to like those who kept company with Alguazils. MacDonnell, of Lochgarry, a man of unquestioned honor, lodged an information against James Drummond before the High Bailie of Dunkirk, accusing him of being a spy, so that he found himself obliged to leave that town and come to Paris, with only the sum of thirteen livres for his immediate subsistence, and with absolute beggary staring him in the face.

We do not offer the convicted common thief, the accomplice in MacLaren's assassination, or the manager of the outrage against Jean Key, as an object of sympathy; but it is melancholy to look on the dying struggles even of a wolf or a tiger, creatures of a species directly hostile to our own; and, in like manner, the utter distress of this man, whose faults may have sprung from a wild system of education, working on a haughty temper, will not be perused without some pity. In his last letter to Bohaldie, dated Paris, 25th September, 1754, he describes his state of destitution as absolute, and expresses himself willing to exercise his talents in breaking or breeding horses, or as a hunter or fowler, if he could only procure employment in such an inferior capacity till something better should occur. An Englishman may smile, but a Scotchman will sigh at the postscript, in which the poor starving exile asks the loan of his patron's bagpipes that he might play over some of the melancholy tunes of his own land. But the effect of music arises, in a great degree, from association; and sounds which might jar the nerves of a Londoner or Parisian, bring back to the Highlander his lofty mountain, wild lake, and the deeds of his fathers of the glen. To prove MacGregor's claim to our reader's compassion, we here insert the last part of the letter alluded to.

"By all appearance I am born to suffer crosses, and it seems they're not at an end; for such is my wretched case at present, that I do not know earthly where to go or what to do, as I have no subsistence to keep body and soul together. All that I have carried here is about 13 livres, and have taken a room at my old quarters in Hotel St. Pierre, Rue de Cordier. I send you the bearer, begging of you to let me know if you are to be in town soon, that I may have the pleasure of seeing you, for I have none to make application to but you alone; and all I want is, if it was possible you could contrive where I could be employed without going to entire beggary. This probably

was never to see again, proved to be Allan Breck Stewart. He lived decently on his little pension, and had, in no subsequent period of his life, shown anything of the savage mood in which he is generally believed to have assassinated the enemy and oppressor, as he supposed him, of his family and clan.

is a difficult point, yet unless it's attended with some difficulty, you might think nothing of it, as your long head can bring about matters of much more difficulty and consequence than this. If you disclose this matter to your friend Mr. Butler, it's possible he might have some employ wherein I could be of use, as I pretend to know as much of breiding and riding of horses as any in France, besides that I am a good hunter, either on horseback or by footing. You may judge my reduction, as I propose the meanest things to lend a turn till better cast up. I am sorry that I am obliged to give you so much trouble, but I hope you are very well assured that I am grateful for what you have done for me, and I leave you to judge of my present wretched case. I am, and shall forever continue, dear Chief, your own to command.

"JAS. MACGREGOR.

"P. S.—If you'd send your pipes by the bearer, and all the other little trinkims belonging to it, I would put them in order, and play some melancholy tunes, which I may now with safety, and in real truth. Forgive me not going directly to you, for if I could have borne the seeing of yourself, I could not choose to be seen by my friends in my wretchedness nor by any of my acquaintances."

While MacGregor wrote in this disconsolate manner, Death, the sad but sure remedy for mortal evils, and decider of all doubts and uncertainties, was hovering near him. A memorandum on the back of the letter says the writer died about a week after, in October, 1754.

It now remains to mention the fate of Robin Oig,—for the other sons of Rob Roy seem to have been no way distinguished. Robin was apprehended by a party of military from the fort of Inversnaid, at the foot of Gartmore, and was conveyed to Edinburgh 26th May, 1753. After a delay, which may have been protracted by the negotiations of James for delivering up Allan Breck Stewart, upon promise of his brother's life, Robin Oig, on the 24th of December, 1753, was brought to the bar of the High Court of Justiciary, and indicted by the name of Robert MacGregor, *alias* Campbell, *alias* Drummond, *alias* Robert Oig; and the evidence led against him resembled exactly that which was brought by the Crown on the former trial. Robert's case was in some degree more favorable than his brother's;—for, though the principal in the forcible marriage, he had yet to plead that he had shown symptoms of relenting

while they were carrying Jean Key off, which were silenced by the remonstrances and threats of his harder-natured brother James. A considerable space of time had also elapsed since the poor woman died, which is always a strong circumstance in favor of the accused; for there is a sort of perspective in guilt, and crimes of an old date seem less odious than those of recent occurrence. But notwithstanding these considerations, the jury, in Robert's case, did not express any solicitude to save his life, as they had done that of James. They found him guilty of being art and part in the forcible abduction of Jean Key from her own dwelling.*

Robin Oig was condemned to death, and executed on the 14th February, 1754. At the place of execution he behaved with great decency; and professing himself a Catholic, imputed all his misfortunes to his swerving from the true church two or three years before. He confessed the violent methods he had used to gain Mrs. Key, or Wright, and hoped his fate would stop further proceedings against his brother James.†

The newspapers observed that his body, after hanging the usual time, was delivered to his friends to be carried to the Highlands. To this the recollection of a venerable friend, recently taken from us in the fulness of years, then a schoolboy at Linlithgow, enables the author to add, that a much larger body of MacGregors than had cared to advance to Edinburgh, received the corpse at that place with the coronach, and other wild emblems of Highland mourning, and so escorted it to Balquhider. Thus, we may conclude this long account of Rob Roy and his family, with the classic phrase,

ITE. CONCLAMATUM EST.

I have only to add, that I have selected the above from many anecdotes of Rob Roy, which were, and may still be, current among the mountains where he flourished; but I am far from warranting their exact authenticity. Clannish partialities were very apt to guide the tongue and pen, as well as the pistol and claymore, and the features of an anecdote are wonderfully softened or exaggerated, as the story is told by a MacGregor or a Campbell.

* The Trials of the Sons of Rob Roy, with Anecdotes of Himself and his Family, were published at Edinburgh, 1813, in 12mo.

† James died near three months before, but his family might easily remain a long time without the news of that event.