

# Turmoil among the crofters: Evander McIver and the ‘Highland Question’, 1873–1903

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## *Abstract*

This article takes as its subject the later life and career of Evander McIver, estate manager or factor to successive dukes of Sutherland in the north-west of Sutherland for over fifty years. The dukes were amongst the richest landowners in Britain at that time, but they struggled with the damage inflicted on their reputation by the clearances of the early nineteenth century. It was the legacy of the clearances which partly informed the Crofters’ War of the 1880s, which shook McIver’s philosophical certainties and grip on management and estate ‘discipline’. The article traces McIver’s training, career and context, his dealings with the large crofter and cottar community and tensions with his employers before his retirement in 1895 and death in 1903. It is shown here he found it difficult to cope with changing attitudes to the crofters by the dukes and their administrators and rejected government intervention in crofting.

The Highland estate of the dukes of Sutherland in the late nineteenth century was divided for administrative purposes into three substantial districts which together occupied almost the entire county of Sutherland (Figure 1). The most remote was the Scourie factorship, located on the extreme north-west corner of the Scottish mainland, containing the parishes of Assynt, Eddrachillis and Durness. Much of the 300,000-acre Scourie district was rugged and largely inaccessible but increasingly attractive to sportsmen and tourists.<sup>1</sup> The disposition of its resources and people had been reshaped during the clearances executed in the first half of the century by the Reay estate and then by the dukes of Sutherland who had bought the estate in 1829.<sup>2</sup> The Sutherland family, one of the richest in Britain, invested considerable capital in the estates over many decades, seeking to develop its resources and rental and improve the welfare of the people. The returns were meagre and most of the estate income continued to derive from a small number of capitalist sheep farmers, especially after wool prices rose in the middle decades of the century.<sup>3</sup> By the end of the nineteenth century most of Scourie was devoted to massive sheep farms and sporting estates. At various points along the coasts, and in some

<sup>1</sup> E. Richards, ‘Highland emigration in the age of Malthus: Scourie, 1841–55’, *Northern Scotland* 2 (2011), pp. 60–2, 70.

<sup>2</sup> See E. Richards, *The leviathan of wealth: the*

*Sutherland fortune in the Industrial Revolution* (1973).

<sup>3</sup> W. Orr, *Deer forests, landlords and crofters: the western Highlands in Victorian and Edwardian times* (1982), pp. 3–4, 12–14.



FIGURE 1. Map of the county of Sutherland (1832), by John Thompson

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interior locations, subsisted about 5,000 crofters and cottars, a poor and generally congested population much larger than in pre-clearance times.

Scourie was managed as part of the extensive estates and variegated assets of the Sutherland family by a structure centred on London. This had been established earlier in the century under the supervision of James Loch (1780–1855), often regarded as the most influential land agent of the age.<sup>4</sup> At its apex was the duke's Commissioner, Loch being the first, who orchestrated the multifarious components of the family's properties, determining policies, controlling their finances and investments, calling-in reports from the far-flung estates, and visiting the properties annually. Loch had masterminded the Highland improvement policies from 1812 until his death in 1855 when he was succeeded by his son, George Loch, who gave the administration continuity until his own death in 1879.<sup>5</sup> There followed a more broken

<sup>4</sup> See D. Spring, *The English landed estate in the nineteenth century: its administration* (1963); for a contemporary account, J. Loch, *An account of the improvements on the estates of the Marquis of Stafford* (1820).

<sup>5</sup> A. Tindley, *The Sutherland Estate, 1850–1920: aristocratic decline, estate management and land reform* (2010), pp. 59–60; National Library of Scotland (hereafter NLS), Sutherland Estates Papers, Acc. 10225,

sequence of succession under first Sir Arnold Kemball (1879–86), then Robert Maitland Brereton (1886–89), after which time members of the duke's family assumed control of much of the management.<sup>6</sup>

Beneath the Commissioners were several layers of lesser management – the most important being the estate agents of the English estates (in Shropshire, Staffordshire and Yorkshire) and the three factorships in the Highland county of Sutherland. The Highland estate factors were invested with substantial local control, authority and autonomy, but they were nonetheless required to report with great frequency to the Commissioner, to whom they were closely accountable. They presided over a local body of employees, the ground officers and, of course, the estate tenancies and the population at large. The Sutherland estate administration was a stratified structure with well-defined responsibilities but which necessarily delegated much authority to the local agents in distant places. It was often beset by tensions between its parts.<sup>7</sup>

The management structure was capped by the dukes of Sutherland who even in the late nineteenth century, remained among the largest and wealthiest landowners in Britain.<sup>8</sup> The dukes were kept fully informed of events on the estates through a system of reporting devised by the elder Loch, but the detailed reports from the various estates often seemed to weary them, more immediately engaged as they were in London society and the royal court, governed by their own political and personal sensitivities.<sup>9</sup> Recurrently throughout the century the dukes were protected from the often fractious details of local estate business by their Commissioners and by the under strata of the management system. But no amount of cushioning could insulate them from the controversies which erupted in the northern Highlands in the 1870s. Much of this turmoil was vividly manifested in the life and career of Evander McIver (1811–1903), who occupied the Scourie factorship for virtually the whole of the second half of the nineteenth century. This paper examines his philosophy and responses to changing conditions during the turbulence which characterized the last decades of his extraordinarily long career.

## I

McIver was a Lewisman, the son of substantial merchant and agent in Stornoway, and his first language was Gaelic. Educated in Edinburgh, he was well versed in rural economy and gained considerable administrative experience in Lewis, lowland Scotland and in the central Highlands before his appointment to the Scourie position in 1845.<sup>10</sup> He was a fully professional estate agent, a type increasingly influential in the administration of aristocratic estates

Note 5 continued

Policy Papers (hereafter PP), 216, McIver to Kemball, 12 Jun. 1886; E. Richards and M. Clough, *Cromartie: Highland life, 1650–1950* (1989), pp. 330–4.

<sup>6</sup> NLS, Acc. 10853, 34, Wright to MacLean, 18 Jan. 1890.

<sup>7</sup> On late nineteenth century conventions and varieties of estate administration, see J. V. Beckett, 'Agricultural landownership and estate management', in E. J. T. Collins (ed.), *The Agrarian History of England and Wales*, VII, 1850–1914 (2 vols, 2000), I, pp. 730–4.

<sup>8</sup> D. Cannadine, *The decline and fall of the British aristocracy* (1990), p. 770; E. Richards, 'An anatomy of the Sutherland Fortune: income, consumption, investments and returns, 1780–1880', *Business Hist.* 21 (1979), pp. 46, 52–3.

<sup>9</sup> Tindley, *Sutherland Estate*, pp. 167–8.

<sup>10</sup> E. McIver, *Memoirs of a Highland gentleman: being the reminiscences of Evander McIver of Scourie* (ed.) Rev. G. Henderson (1905), pp. 20–4.

in the late nineteenth century.<sup>11</sup> Moreover he was unusually well-grounded in local knowledge of West Highland conditions. His formidable personality and local authority dominated the Scourie district for fifty years. He is also remarkably well-documented in the dense estate correspondence which he conducted throughout his agency, being a man of forthright and outspoken expression. Moreover, towards the end of his life, he prepared a self-justifying account of his career in Scourie, entitled *The Memoirs of a Highland Gentleman*, sumptuously published soon after his death.<sup>12</sup> At the time of McIver's death, Lord Ronald Sutherland Gower, sometime MP for Sutherland and brother of the third duke, declared that McIver was, 'one of the finest, if not the finest specimen of a Highland gentleman that I have known'.<sup>13</sup> McIver's editor, the Rev. George Henderson, who may have chosen the title of McIver's verbose and repetitive autobiography, further justified the use of 'gentleman' by clarifying, 'By a gentleman I mean a knowing man with culture, culture of mind and body, of intellect and soul, of head and heart and hand'.<sup>14</sup> This opinion of McIver was far from universal: factors in the Highlands were often unpopular among the crofters and McIver was an extremely contentious figure in Scourie.<sup>15</sup> But McIver undoubtedly aspired to the idea and status of 'a Highland Gentleman' and his *Memoirs* were a testament to his philosophy and his ambition. Few photographs are known to survive of him, but Figure 2, which is taken from his memoirs, shows us McIver as an old man.

When McIver entered the service of the Sutherland family in 1845 most of the upheavals of the clearances were over.<sup>16</sup> The *status quo* which he inherited was relatively stable by mid-century. For the following fifty years he was deeply involved in the administration of Scourie, a district dominated by sheep farms and deer forests and densely populated communities of crofters and cottars.<sup>17</sup> In the first half of his career he had faced the immediate consequences of the clearances. McIver continued to reorganize the small tenantry, though on a lesser scale, and he encountered recurrent hostility and resistance from them.<sup>18</sup> By the 1870s, post-clearance

<sup>11</sup> I. H. Adams, 'Economic process and the Scottish land surveyor', *Imago Mundi* 27 (1975), pp. 13–18; id., 'The agents of agricultural change', in M. L. Parry and T. R. Slater (eds), *The making of the Scottish countryside* (1980), pp. 159–60, 167–9; T. M. Devine, 'The transformation of agriculture: cultivation and clearance', in T. M. Devine, C. H. Lee and G. C. Peden (eds), *The transformation of Scotland: the economy since 1700* (2005), pp. 79, 87; A. Tindley, 'They sow the wind, they reap the whirlwind': estate management in the post-clearance Highlands, c.1815–c.1900', *Northern Scotland* 3 (2012), pp. 66–85.

<sup>12</sup> McIver, *Memoirs*.

<sup>13</sup> *Ibid.*, pp. 286–7 (letter dated 11 Apr. 1903).

<sup>14</sup> *Ibid.*, prefatory note.

<sup>15</sup> The poor reputation of Highland factors as instruments of unpopular policies and as domineering figures in the local communities was recorded in evidence presented to the Napier Commission; see for example *the evidence given to the Napier Commission*, BPP, 1884,

XXXII–XXXVI, *Report of Her Majesty's commissioners of inquiry into the condition of the crofters and cottars in the Highlands and Island of Scotland with appendices* (hereafter *Napier Commission*), pp. 167, 1738, 1645; J. Hunter, *The making of the crofting community* (1976); J. Shaw Grant, *A shilling for your scowl: the history of a Scottish legal mafia* (1992), pp. 137–41; J. Macleod, *None dare oppose: the Laird, the Beast and the people of Lewis* (2010), p. 256.

<sup>16</sup> E. Richards, *Patrick Sellar and the Highland clearances: Homicide, eviction and the price of progress* (1999).

<sup>17</sup> See the examination of his early career in E. Richards and A. Tindley, 'After the Clearances: Evander McIver and the "Highland Question", 1835–73', *Rural Hist.*, 23 (2012), pp. 41–57; Tindley, *Sutherland Estate*, pp. 12–19.

<sup>18</sup> M. Bangor-Jones, *The Assynt Clearances* (2001), p. 45.



FIGURE 2. A photograph of Evander McIver and his wife (c. 1890), reproduced from his 'Memoirs of a Highland Gentleman' (1905)

conditions had further stabilized: the sheep farmers fared relatively well and the crofters clung on despite the alternation of good and bad years. Their rents changed little and prices rose quietly; the post-clearance population growth had come to an end and numbers began to decline very slowly.<sup>19</sup> But there was little economic advance on the estate at large and its reputation remained darkened by the legacies of the clearances and the continuing poverty of the majority of the people.<sup>20</sup>

In the last quarter of the century, estates in the Scottish Highlands faced unexpected challenges. Some of these problems derived from the decline and eventual collapse of wool and sheep prices and falling productivity, partly counterbalanced by rising income from sporting tenants.<sup>21</sup> More intractable was the 'crofter problem', expressed in the continuing poverty and vulnerability of the small tenantry, from 1873 heightened by their increasing political assertiveness in confrontation with Highland landlordism.<sup>22</sup>

The crofter's movement began to flourish from the 1870s, stemming from well-publicized resistance to landlord policies in Lewis and Skye, increasingly supported by sympathetic public opinion and vocal and influential champions in the central belt. Resistance to rent increases, evictions and the reorganization of lots began to feature commonly and landlords and their agents found little public or governmental sympathy. The episode faced by McIver at Clashmore,

<sup>19</sup> Hunter, *Crofting community*, pp. 119–21; *Census of Scotland, 1911* (1912), p. 2233; 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), pp. 336–7.

<sup>20</sup> On post-clearance circumstances in Sutherland, see also G. Baggott, 'Melness Farm, Sutherland: the Land Question and the Congested Districts Board,

c.1866–1911', *J. Scottish Historical Studies*, 30 (2010), pp. 1–14.

<sup>21</sup> Orr, *Deer Forests*, pp. 31–4; Tindley, *Sutherland Estate*, p. 5.

<sup>22</sup> Hunter, *Making of the crofting community*, pp. 128–30, 132–3; E. A. Cameron, *Land for the People? The British government and the Scottish Highlands, 1880–1925* (1996), pp. 16–18.

Assynt, was part of this wider movement and illustrated the way in which crofters across the Highlands and Islands were increasingly ready to challenge their estate managements.<sup>23</sup> Many of the conflicting ideas about Highland estate management were exhibited at Clashmore. Here there was a collision of philosophies between an estate which wished to remodel the lands of the small tenants, but opposed by crofters who demanded to be left undisturbed and who obdurately opposed any change in their attachment to the land. It was a confrontation which widened to include many parts of the west Highlands and which eventually prompted governmental intervention, first by the might of the law (backed by the military) and then in 1883 by a Royal Commission into the conditions of the crofters and cottars chaired by Lord Napier. These events eventually introduced unprecedented measures of governmental regulation over the operation of land rights in the region.<sup>24</sup>

Evander McIver was at the centre of these changing circumstances and deeply perplexed and angered by them. In this paper we follow his story through this radically altered context, as he continued to manage the district of Scourie and its increasingly turbulent population. Most of all we explain the basis of his understanding of the 'Highland Question' and his reaction to the events which preceded and followed the intervention of the Napier Commission in 1883. McIver's situation was filled with philosophical tensions whereby he found himself administering a system in which he had no conviction. Yet it was also a system which was running out of control, challenging his capacity to maintain its order and expectations. This was the cause of his intense frustration, which expressed itself in his dealings with both the tenantry and his employers. In these years he witnessed, almost helplessly, the reinstatement and preservation of the crofting system, which he regarded as absurd and unworkable. For a believer in the inevitable march of rational progress, the maintenance and, after 1886, the protection of the crofting system was a disaster.

## II

At the centre of McIver's thinking were two issues governing the management of Scourie. One was the economic integrity and sustainability of a great aristocratic estate, linked to his own accountability to the landlord, the duke of Sutherland.<sup>25</sup> The second was his responsibility for the welfare of the common people and their poverty. Here he saw his mission as reducing the burden the crofters posed to themselves and to the estate.<sup>26</sup> There were two entwined dangers in estate management: one was the likely breakdown of discipline over the congested population of crofters; the other was the likelihood that the level of dependence of the small tenantry would

<sup>23</sup> Cameron, *Land for the People*, pp. 27–8, 31–6; A. Newby, *Ireland, radicalism and the Scottish Highlands, c.1870–1912* (2007), pp. 48–9, 52.

<sup>24</sup> On the genesis of protest and the politicization of the crofters and the land question in the Highlands in the 1880s, see E. A. Cameron, 'Poverty, protest and politics: Perceptions of the Scottish Highlands in the 1880s', in D. Broun and M. Macgregor (eds), *Miorun Mor nan Gall, The Great Ill-Will of the Lowlander:*

*Lowland perceptions of the Scottish Highlands* (2009), pp. 218–31 and the evidence given to the Napier Commission.

<sup>25</sup> Tindley, *Sutherland Estate*, pp. 167–71.

<sup>26</sup> This was a common aim among estate managers in the mid-nineteenth century: see T. M. Devine, *The Great Highland Famine: hunger, emigration and the Scottish Highlands in the nineteenth century* (1995), pp. 178–82.

undermine the economic return on the entire estate. When sheep rents began their long decline in the 1870s and the crofters girded their collective will, McIver's fears turned into reality.<sup>27</sup>

McIver had had no faith in the small tenant system from the very start of his career; in 1841 he had been alarmed at the burden to be imposed by the new Poor Law and predicted the 'annihilation of the Highland proprietors'.<sup>28</sup> In the following thirty years the buoyancy of sheep rents sustained estate finances but the problem of crofting poverty remained undiminished. McIver's philosophy, despite the tensions on either side of him, was not shaken across half a century, although their context was. Indeed, his views hardened further and he concluded at the end of his career that, 'The crofter system has not within it the seeds of prosperity or of profit ... it is a living from hand to mouth, and it is difficult under their circumstances to keep the wolf from the door'.<sup>29</sup> McIver regarded the unreformed crofting system as unable to provide families with even a primitive standard of living.<sup>30</sup>

In the first half of his career at Scourie, McIver had kept a firm hold on the crofters and, though sometimes resisted in his attempts to execute small reorganizations, he had maintained control over the small tenants of the estate. From the start he had experienced tension with his employers regarding his methods and his insistence on rigour in his control of the crofters. His rigidity remained undiminished as the decades passed, but the views of his superiors shifted towards a more liberal and compromising frame of mind, alarming McIver. In the 1870s the problem of controlling the crofters worsened at a time when the upper management and direction of the Sutherland estate began to lose his confidence. It was a recipe for frustration and disappointment, both of which marked the latter half of his career.

During the heated public discussion about the future of the crofters in the 1880s, the third duke of Sutherland and his senior advisors, in advance of many other Highland landowners, became increasingly responsive to their demands for more land and to developing a gradation of holdings among the small tenants. But McIver resisted all such ideas, declaring that, 'there is none of the present tenants or crofters of Assynt able to take sheep farms – and the crofters of the sea side have neither skill or knowledge in sheep management, nor have they capital'.<sup>31</sup> This became a critical moment in the evolution of the management of the Sutherland estates and McIver, for all his declared sympathy for the people, refused to see any rational sense in granting them more land. They simply did not know how to use the land: they had 'no knowledge or acquaintance with sheep and their management', and he became increasingly angry and sarcastic on the question, particularly when his superiors were inclined to accommodate the crofters' views.<sup>32</sup>

<sup>27</sup> Orr, *Deer Forests*, pp. 15–17. Falling rents were not unique to the Highland estates – for instance, the Sutherland properties in the English Midlands experienced serious rent reductions in the years 1870–90; see R. Perren, 'The effects of the agricultural depression on the English estates of the Dukes of Sutherland, 1870–1900', (unpublished Ph.D thesis, University of Nottingham, 1967).

<sup>28</sup> BPP 1841, *First report from the committee on emigration, Scotland* (1841), p. 126.

<sup>29</sup> McIver, *Memoirs*, p. 76.

<sup>30</sup> Commentators commonly viewed crofting as 'a malignant agricultural system': see Cameron quoting *Scotsman*, 8 Dec. 1877 in, 'Poverty, protest and politics', p. 221.

<sup>31</sup> Staffordshire Record Office [hereafter SRO], D593, K/1/3/70, McIver to Kembell, 2 May 1884. McIver was not alone in his aversion to land grants to crofters; see Baggott, 'Melness Farm, Sutherland', p. 3.

<sup>32</sup> For example, when the 'Duke's Memo' scheme was established in 1884 offering land extensions to crofters; SRO, D593/K/1/3/70, McIver to Kembell, 2 Jun. 1884.

At the foundation of McIver's thinking about the crofting system were two propositions. The first was that the problem pre-dated his own involvement in the estate: he had had no involvement with the original clearances and had simply inherited the difficulties which derived from an earlier era. Secondly, he consistently asserted the view that crofting was an utterly derelict system which could never be improved, but instead could only be diminished by most of the crofters emigrating which, he conceded, was unlikely to occur in the short term or even in his own lifetime.

McIver persisted in these views over the five decades of his factorship and he gave them forthright public ventilation when he faced two Royal Commissions on Highland conditions: the Napier Commission (1883–84) and the Royal Commission on the Highlands and Islands (1892–95).<sup>33</sup> Testifying at the Napier hearings at Kinlochbervie on 26 July 1883, he confronted detailed allegations regarding current practice in his estate management and broad retrospective and prospective questions regarding the welfare of the district as a whole. He refused to be drawn on the history of the estate before his own appointment even though much of the agenda of the Commission was directed to past events, most of all to the record of the clearances and their alleged consequences.<sup>34</sup>

When asked about the past McIver always claimed that all he knew came from old people. When asked about the Strathnaver removals in the 1810s, he declared adamantly, 'that is going back to a time before you or I was born, and it is a subject upon which I have no knowledge whatever. There has been no such removal in my time'.<sup>35</sup> Pressed for his opinion, he remarked, 'I think if the people were living in a bad climate and poor circumstances, where they could not support themselves, it was not such a cruel thing to remove them to where they could live better'.<sup>36</sup> He did, however, testify to the feelings of negativity among the people. He said that although the people complained that they were worse off, this was not true, though he admitted that the current year (1883) was certainly a difficult one.<sup>37</sup> Population had fallen somewhat in the last two decades, which McIver saw as a very good thing.<sup>38</sup>

<sup>33</sup> *Napier Commission*; BPP, 1895, XXXVIII–XXXIX, *Royal Commission, Highlands and Islands, 1892, Report of Evidence, 1895* [hereafter *Deer Forest Commission*].

<sup>34</sup> The Sutherland estate officials agreed amongst themselves not to discuss the clearances in their evidence: Tindley, *Sutherland Estate*, pp. 168, 171.

<sup>35</sup> *Napier Commission, Evidence*, pp. 1706–8, 1768–9. McIver stated that the people of Assynt had been desperately poor and distressed when he first arrived in 1845; this was reflected in the rents, which were very low. He was notably vague about the number of cottars in Assynt, over whom, he claimed, the landlord had no control. When he took up the Scourie factorship the tenants did not have lots – it was all runrig: 'one of my first anxieties was to place the matter on a better footing, and make lots throughout the parish', and this was done. Of earlier evictions he denied all knowledge, though he was acutely aware of the tradi-

tion, especially 'a very disagreeable riot in Durness', back in 1841. He was asked: 'You don't hold yourself or your noble constituent responsible for it?' 'That is so.' 'You don't justify what occurred?' 'Oh dear no.' 'Still the people have their grievance?' 'Yes – I can easily understand that this is a very sore subject with them.' When he was asked, 'Can you say as much for the clearances we were told about today in the fifty townships of Assynt enumerated?' he answered, 'that I also wash my hands of personally; it was done about the time I was born'. The Durness riots are described in E. Richards, *The Highland Clearances: people, landlords and rural turmoil* (new edn, 2008), pp. 319–24.

<sup>36</sup> *Napier Commission, Evidence*, p. 1708.

<sup>37</sup> Cameron, 'Poverty, protest and politics', p. 219.

<sup>38</sup> *Napier Commission, Evidence*, p. 1706.



McIver summarized the income trends in his district which, according to the 1881 census, had a population of 5,293 people. Their rents in 1839 had totalled £2,001 but in the following years significant rent arrears had been accumulated until abatements of £5,068 had been made by the estate. The rental of the small tenantry in 1878 was £2,227, a rise of £226 in 39 years. McIver was perfectly straightforward in his description of his efforts to prevent population growth on crofts; this entailed the prevention of young married couples living on already occupied crofts.<sup>39</sup> He acknowledged that his efforts had failed. 'There is nothing more trying than a poor tenantry to a proprietor', he declared.<sup>40</sup>

His proposed solution to the 'Highland Question' was the same in 1883 as it had been in 1845: emigration. His own family had adopted it, including his seven sons: 'They went to India and Australia, the Cape of Good Hope and to England; they went to fight their battle in the world, and I would recommend very strongly to the crofters that their families should go and do the same'.<sup>41</sup> Population control was, he said, 'the most trying subject with the management of this district', and the west Highlands generally.<sup>42</sup> He had been thinking of encouraging 'middle class farms', as exemplars for the crofters, but this would require a significant thinning of the population.<sup>43</sup>

This plan reflected the essential purpose of estate management in McIver's view: the efficient and profitable use of landed resources, which in the decades of McIver's administration meant almost entirely sheep and sport. There were good times from 1832 to 1880, after which sheep and wool prices fell by 50 per cent by 1900; cereal prices also tumbled, all put down to the great imports under free trade, especially trade from the colonies.<sup>44</sup> Rents fell heavily and yet 'the condition of the masses and working class is undoubtedly better', said McIver.<sup>45</sup> The effect on Highland proprietors, however, was devastating and in some parts rents hardly exceeded rates. In these conditions sporting rents were increasingly the salvation of Highland estates. McIver spoke warmly of the sporting tenants for creating employment for many of the crofters. Without them the poor and desolate parts of the Highlands would scarcely be worthy possessing, and the sporting rents allowed proprietors to treat the rest of their tenants more liberally.<sup>46</sup>

When McIver gave evidence ten years later to the Deer Forest Commission, he reiterated these opinions almost unchanged. He again declared that the crofters simply could not occupy the land profitably in small units: 'if you put a large number such as there were before, they would be just as miserable, their possessions would be too small'.<sup>47</sup> Enormous sums had been spent by the estate developing the shootings and their rents were at least double any alternative use. For McIver it was common economic sense to protect commercial shootings from the spread of crofting.<sup>48</sup>

McIver was horrified by the development of the crofter movement in Scourie in the 1880s

<sup>39</sup> Ibid. He said 'We have done all we could – we have resorted to depriving the tenant of his lot for taking in a married couple; but it is almost impossible to check it'.

<sup>40</sup> Tindley, *Sutherland Estate*, pp. 73–4; M. Bangor-Jones, 'The History File', *Am Bratach* 224 (Jun. 2010).

<sup>41</sup> *Napier Commission, Evidence*, p. 1709.

<sup>42</sup> Ibid., p. 1710.

<sup>43</sup> For example, at Clashmore, Assynt: *ibid.*, p. 1706.

<sup>44</sup> Orr, *Deer Forests*, pp. 20–2.

<sup>45</sup> McIver, *Memoirs*, p. 125.

<sup>46</sup> Ibid., p. 131.

<sup>47</sup> *Deer Forest Commission, Evidence*, p. 718.

<sup>48</sup> Ibid.

and 1890s, as his private and public pronouncements made clear. Not even the combined efforts of government commissions, the crofters and cottars and his own superiors and employers would change these views, and this led, inevitably, to conflict. By the time of his public appearances in the 1880s and 1890s, McIver was sounding out-dated and illiberal on the 'Highland Question'; his reputation for dominance ('factorial tyranny') was already well known beyond the borders of Scourie, and this was reflected in some hostile questioning from the Napier commissioners.<sup>49</sup> He was unbending in his views, however, refusing to concede to the more liberal perspectives of the government, the crofters or his own employers.

### III

Despite the unremitting pressures associated with his factorship, McIver maintained a position of relative wealth and privilege in his west Highland domain. He was regarded as the sole instrument of frequently unpopular estate policies, exercising arbitrary authority among the local population.<sup>50</sup> He ruled Scourie mostly as he himself determined which made him an isolated figure of authority. In Sutherland, and even beyond, he acquired a negative reputation for his exercise of overbearing and oppressive power, and was widely regarded as a bully and tyrant in the crofting community. On the other side, his relations with his colleagues and superiors were subject to bouts of serious disagreement. He was quick of temper, often emotional, but never sentimental.<sup>51</sup>

The third duke eventually felt impelled to exert his own beliefs in the solutions of 'the Highland Problem' and by the early 1870s was intervening directly in the practical operations on his Highland estates, indeed setting in motion massive development projects in McIver's own territory. The continuing blight of poverty and destitution on the crofting community was reported to the duke with wearying regularity in letters from his managers: as well as the practical burden this represented, the increasing pressure on his reputation as one of Britain's wealthiest men was one he wanted to resolve, permanently if possible. The duke was keen to improve the condition of the crofters by modernizing methods in the most remote corners of his estate. In part such inclinations were actuated by the painful awareness of the unpopularity of Highland lairds in general, and his own immediate predecessors in particular.<sup>52</sup> His sensitivity to political and social opinion in London, not least his awareness of events in Ireland, accentuated his instinct to make better use of his Highland estates.<sup>53</sup>

<sup>49</sup> Highland factors were invested with substantial local and arbitrary authority and McIver was far from alone in his unpopularity. Other Highland factors faced similar levels of hostility, for example Alexander Macdonald of Skye; see *Napier Commission Evidence*, pp. 1703, 1709–10, 1763.

<sup>50</sup> SRO, D593, K/1/3/71, McIver to Kemball, 7 Dec. 1883; see also contemporary views of other Highland factors such as Donald Munro of Lewis, MacLeod, *None dare oppose*, p. 256.

<sup>51</sup> For example, NLS, Sutherland estates papers, Acc. 10225, Factor's Correspondence, 1941, McIver to Janet

Mackenzie, 18 Aug. 1870.

<sup>52</sup> Tindley, *Sutherland Estate*, pp. 167–8; K. Marx, 'The Duchess of Sutherland and Slavery', 9 Feb. 1853, pr. in J. Ledbetter (ed.) *Dispatches for the New York Tribune: selected journalism of Karl Marx* (2007), pp. 113–19; H. Beecher Stowe, *Sunny memories of foreign lands* (2 vols, 1854); D. MacLeod, *Gloomy memories in the Highlands of Scotland versus Mrs Harriet Beecher Stowe's sunny memories* (1888); Loch, *Account of the improvements*.

<sup>53</sup> The third Duke was made painfully aware of these wider circumstances when a bomb threat was made

The duke's interventions were much more pronounced in McIver's Scourie management than they were in the Dunrobin and Tongue managements due both to local conditions and McIver's redoubtable personality. McIver was not persuaded of the economic sense in these initiatives, but followed instructions sent from London, after bluntly pointing out their flaws.

The heightened public debate at the time of the Napier Commission in the early 1880s exposed the depth of acrimony in estate relations.<sup>54</sup> McIver's entrenched views of estate management came under fire, not only from his superiors and colleagues, but also from vociferous external critics. These conflicts were based on diametrically opposed views of the nature and exercise of authority, the value of the crofting system, and the fundamental rationale of Highland estates. For McIver, the great estates existed to serve the interests of their owners, to whom McIver was devoted, even if he was occasionally in conflict with what those owners conceived as their best interests. In the eyes of the crofter champions, figures such as McIver gave Highland estate administration a bad name, and more than that, were significant precipitants of the crofter agitation of the 1880s.<sup>55</sup> The extent to which McIver was out of step with moderate opinion even among land managers was highlighted by the increasing coherence of the land management lobby under important figures such as George Malcolm, factor for Ellice of Invergarry.<sup>56</sup> The agitation ran parallel with shifts in the attitudes of the senior management of the Sutherland estates, including the third duke himself. They were tending towards compromising policies regarding the redistribution of grazing lands to crofters, motivated at least in part by fear of Irish violence spreading to Scotland.<sup>57</sup> McIver regarded any concession to the crofters as weakness: such a policy was anathema to the welfare of the estate, its owners and the public interest.

Throughout his career McIver acted as the instrument of unpopular estate policies, including the enforcement of rent collections and the constant, though piecemeal reorganization of lots and townships. In order to do this, McIver, like most factors, kept a social distance between himself and his crofter constituency which McIver felt he had to maintain even though he sometimes felt great sympathy for the sufferings of the people.<sup>58</sup> The sympathetic side of

Note 53 *continued*

against his London house, a note dropped through the door warning that 'the house and property of all evicting landlords is condemned. Three weeks warning is hereby given to all of you to leave this house which is sentenced'; SRO, D593, P/24/1/6, 'Note addressed to the servants', Stafford House, St James, 17 May 1882. The note does not seem to have been regarded in a serious light, but it did clearly link the more violent Irish agitation, particularly, the Phoenix Park murders of May 1882, to that in Sutherland; Newby, *Ireland, radicalism and the Scottish Highlands*, pp. 54, 67.

<sup>54</sup> For instance, Baggott, 'Melness Farm, Sutherland', pp. 5–6.

<sup>55</sup> *Ibid.*, p. 5.

<sup>56</sup> NLS, Ellice of Invergarry papers, Acc. 12560, 2, letters

to Edward Ellice, 1883; Acc. 10225, Factor's correspondence, 1497, Box to Wright, 13 May 1893; E. A. Cameron, 'The political influence of Highland landowners: a reassessment', *Northern Scotland* 14 (1994), p. 33.

<sup>57</sup> See Newby, *Ireland, radicalism and the Scottish Highlands*, p. 54; the third Duke was deeply involved in the turmoil facing of Irish landowners at this time, being chair of the Mansion House Committee for the Defence of Property in Ireland; SRO, D593, P/24/7/B, papers of the Mansion House Committee for the defence of property in Ireland.

<sup>58</sup> For example, during the destitution of the 1860s; A. Tindley, "Actual pinching and suffering": estate responses to poverty in Sutherland, 1845–1886', *Scottish Historical Rev.*, 90 (2011), pp. 236–56.

McIver's actions was rarely on display to the crofting community; outwardly, he enforced his authority, often in an abrasive and overbearing fashion.<sup>59</sup>

McIver came close to being dismissed in 1888 but remained in post until his retirement in 1895. When his end came in 1903, the *Highland News*, a newspaper traditionally hostile to the Sutherland family and estate, announced the 'Death of a Highland factor: one of the Old Type', suggesting that McIver and his style of administration had become a relic of an unlamented past.<sup>60</sup> McIver had always rejected such thoughts: looking back over his career he asserted that for 30 years his management had been benign and settled, the crofters always treated with kindness and benevolence: 'They had confidence in my sense of fairness and justice as their factor; they were easily managed in the Scourie agency'.<sup>61</sup> His surviving correspondence reveals no such tranquillity.

#### IV

In reality the Scourie agency was a nightmare for much of the second half of McIver's career. He fulminated against the times, and increasingly against his superiors.<sup>62</sup> These managerial tensions derived from a fundamental disagreement about how to cope with the crofters, their poverty, their grievances and their rebellion, which moved like a bushfire through the region, causing McIver great unhappiness.<sup>63</sup> It was the moment when his conception of the 'crofter problem' came into sharpest definition and when he found himself in repeated confrontation with his own superiors in the Sutherland estate management.

McIver lived through disturbing changes in the structure of the management hierarchy of the Sutherland estates, reflecting the changed personalities and policies of his ducal masters. This structure passed through four phases in these years. McIver had begun his services at Scourie in the last days of James Loch (1812–55) and then under his son George Loch (1855–79), who had been a fully co-ordinating Commissioner, a clever, prudent and active man until he died in 1879.<sup>64</sup> His two successors, Sir Arnold Kemball (1879–86) and R. M. Brereton (1886–89), McIver came to regard as entirely unsatisfactory, a situation not improved when the duke became his own Commissioner in 1889.<sup>65</sup> This, together with the endless aggravation over the crofters' revolt, created an uncomfortable context for all the estate administration in the last two decades of the century. McIver, looking back in his *Memoirs*, condemned both managerial incompetence and proprietorial stupidity.<sup>66</sup> It was a story which exposed the radically opposed philosophies the family and their local managers brought to crofter discipline.

Among the crofter population, every attempt to reorganize their lands was immediately

<sup>59</sup> Many factors behaved in this way with impunity until the 1870s and 1880s; see the account of the downfall of Donald Munro of Lewis for example. The case was extensively reported in the local and national press; Shaw Grant, *A shilling for your scowl*, pp. 151–2, 164; E. A. Cameron, 'Journalism in the late Victorian Scottish Highlands: John Murdoch, Duncan Campbell and the *Northern Chronicle*', *Victorian Periodicals Rev.*, 40 (2007), p. 284.

<sup>60</sup> *Highland News*, 17 Jan. 1903; *Northern Times*, 15

Jan. 1903.

<sup>61</sup> McIver, *Memoirs*, p. 78.

<sup>62</sup> *Ibid.*, pp. 279–81.

<sup>63</sup> Richards and Clough, *Cromartie*, p. 330.

<sup>64</sup> McIver, *Memoirs*, p. 120; Richards and Clough, *Cromartie*, pp. 330–4.

<sup>65</sup> SRO, D593, P/24/3/2, Lord Stafford to third Duke, 23 Jun. 1889; NLS, Acc. 10853, 34, Henry Wright to Donald MacLean, 18 Jan. 1890.

<sup>66</sup> McIver, *Memoirs*, p. 281.

denounced as a new clearance and deemed to be opposed to their interests. In March 1880, for instance, McIver attempted to relocate five tenants, none to be evicted, at Ardmore. Their story quickly reached the London newspapers and the duke felt obliged to intervene and countermand the removals.<sup>67</sup> This was one example of a kid-gloved approach to crofter management which, according to McIver, could only hamstring the local factors in their dealings with the crofters and undermine their decision-making authority. By contrast, McIver had always insisted on 'firmness and decisive effort in dealing with this class of tenant'.<sup>68</sup> He noted bitterly that the good years had passed by and the crofters were now, 'bewitched by foolish expectations that could never be realised'.<sup>69</sup> They had been infected by mad ideas: delusions of comfortable homes, large lots, money from the government to stock their farms, fine furniture: 'in short an earthly paradise these poor people will never see'.<sup>70</sup>

McIver believed that the agitation and turbulence of 'the Crofters' War' was exerting a devastating effect not only on relations between landlords and tenants in the Highlands, but also on the position and authority of the factors. He regarded movement towards reform of the land laws, and more especially, the individuals promoting those changes, as dangerous and revolutionary.<sup>71</sup> Even small changes, he argued, would have a long-term negative impact on the ability of the Highland factor to maintain discipline over the crofting and cottar population. He expressed these feelings of unease to his colleague John Crawford, factor in the neighbouring management of Tongue, in the wake of the first rent collection after the visit of the Napier Commission:

I have only just come back from Assynt where the rents have not been well paid. I found that the Commission has left its mark decidedly on the minds and manners of the people and that they look upon Factors with jaundiced eyes and smirks, it is the teaching the people have received from their masters!<sup>72</sup>

McIver necessarily accepted the new context as part of a difficult job, but as further problems erupted he felt he was being isolated and criticized not only by the crofters but by his superiors in the estate management. The crisis in relations was first precipitated by the initiatives taken by the new Commissioner, Sir Arnold Kemball, who by 1884 was attempting to lead the estate towards moderate reform in favour of the crofters.<sup>73</sup> McIver felt that his entire ideology,

<sup>67</sup> SRO, D593, K/1/3/66, McIver to Kemball, 22 Mar. 1880.

<sup>68</sup> SRO, D593, K/1/3/66, Kemball to all factors, 9 Mar. 1881.

<sup>69</sup> McIver, *Memoirs*, p. 280.

<sup>70</sup> *Ibid.*, p. 280, quoting a letter to a friend in Texas whom he advised against returning home to Sutherland; see also Baggott, 'Melness Farm, Sutherland', p. 7.

<sup>71</sup> For example, NLS, Acc. 10225, PP, 214, McIver to Kemball, 13 Jun. 1882, 14 Dec. 1882; C. Whatley, 'An Uninflamable people?', in I. Donnachie and C. Whatley (eds), *The manufacture of Scottish history* (1992).

<sup>72</sup> NLS, Acc. 10225, Factor's Correspondence, 1954, McIver to Crawford, 8 Dec. 1883.

<sup>73</sup> Tindley, *Sutherland Estate*, pp. 76–80. The episode

demonstrated the changed milieu in which the management had to operate. In 1881, in advance of the Napier Commission, Kemball enunciated a new set of rules of management on the estate, by which the factors were to be bound. Thus, 'No rent is ever raised upon the actual incumbent during his life or during the lifetime of his Widow if she be in a position to succeed to the occupation of the lot'. Any improvements were to be compensated by the estate after being independently arbitrated. In particular, insisted the new regulations, 'evictions are practically never enforced on the Estate, though sometimes, but rarely threatened where warnings should have failed to put an end to quarrels, dissension or disorder'. SRO, D593, K/1/3/66, Kemball to all factors, 7 Mar. 1881.

everything he had worked towards for nearly forty years, was being undermined and his experience disregarded in favour of rash changes. Moreover, he regarded the agitation of crofters and cottars, so prevalent in his management, as simple lawlessness that must be curbed to maintain discipline, rather than rewarded by conciliatory reforms.<sup>74</sup>

The situation was complicated by the fact that the great sheep farms were losing tenants and rent: in direct market terms the rational move was their simple conversion into deer forests, which continued to yield high and reliable income.<sup>75</sup> But the crofters asserted their own claims: thus at Inverkirkraig a party of small tenants made application for more pasture. McIver appeared not unfavourable to the plan but pointed out that it would reduce the value of Glencanisp Forest, impeding crucial deer movements, and his advice was eventually against it.<sup>76</sup> The intermittent conversion of sheep farms into deer forests and the parallel claims of the crofters, especially in the mid-1880s, became a critical dilemma for estate management. He repeatedly asserted that the current tenants and crofters, even if they possessed capital, were simply ill-equipped to operate sheep farms on an economic basis.<sup>77</sup> This was McIver's constant refrain in his adamant opposition to the crofters' demands during these years. He had no other response to the unsatisfactory *status quo*.

The Sutherland estate became increasingly liberal in a context of declining sheep farm rents and heightened public debate about landlordism and crofting, associated with illegal land invasions and occupations. McIver was opposed to this view, but had no alternative solution to the problem of land hunger in Scourie.<sup>78</sup> Instead of concessions, McIver had pressed for a return to stringency in the enforcement of rent arrears and the eviction of individual crofters who broke estate rules.<sup>79</sup> He also recommended that the cottar population – the most marginal of the community – should be drawn into the formal administration of the official rental which would render them more easily pursued and managed within the law. He was seriously out of kilter with his betters in the upper management who were much more concerned about the political impact of current events in the Highlands and the operations of the Napier Commission.<sup>80</sup> In 1885 McIver described the times as 'out of joint'. There were bad harvests, low prices and rents went unpaid: 'It is disagreeable work being a factor in these circumstances, and very trying for an old man as I am'.<sup>81</sup>

Throughout the political crisis the Sutherland family and its advisors were increasingly inclined towards concessions, especially Lord Stafford, later the fourth duke.<sup>82</sup> McIver characteristically believed that the duke was being misled and that the crofters were losing all respect

<sup>74</sup> Tindley, *Sutherland Estate*, p. 170.

<sup>75</sup> Orr, *Deer Forests*, pp. 90–4; *Deer Forest Commission Evidence*, pp. 717–18; the changing composition of the Sutherland estate rentals can be tracked through 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).

<sup>76</sup> NLS, Acc. 10225, Factor's Correspondence, 1954, McIver to Kembell, 27 Jan. 1882.

<sup>77</sup> SRO, D593, K/1/3/74, McIver to Kembell, 26 Feb. 1886.

<sup>78</sup> McIver claimed it was virtually impossible to prevent subdivision of land by crofters; indeed, he said of his own management record: 'I confess I have failed', *Memoirs*, p. 210.

<sup>79</sup> NLS, Acc. 10225, Factor's Correspondence, 1960, McIver to Gunn, 28 May 1890; 30 May 1890; Cameron, *Land for the people*, p. 50.

<sup>80</sup> NLS, Acc. 10225, Policy Papers, 216, McIver to Brereton, 1 Mar. 1887.

<sup>81</sup> McIver, *Memoirs*, p. 280.

for their betters.<sup>83</sup> Kemball tried to persuade McIver of the need to change, but he resisted with a mixture of truculence and hurt:

It is very true – too true – that times are changed, for the worse I fear and that we must bend to circumstances ... [but there will be] ... injury to the authority of the landlord and ... the authority of His Grace's agents in the management and being wholly destructive of the rights and dignity of the Estate Proprietors.<sup>84</sup>

This difference of opinion about the maintenance of discipline on the estate inflamed feeling within the estate administration and rumbled on until Kemball's hurried retirement in mid-1886. Kemball had been determined to bring in moderate reform, at the behest of the third duke and Lord Stafford, in the teeth of entrenched resistance from McIver (though not the other factors, who took a more moderate and pragmatic approach). By the mid-1880s McIver was completely isolated from both his superiors and his equals in the management. For McIver, much was at stake: the maintenance of discipline in a remote and poverty-stricken management, as well as his own professional standing and style of administration, as the increasingly personal note of reproach that entered into his correspondence demonstrated:

I cannot conceal from you that I feel deeply hurt and consider myself unfairly and unkindly spoken of ... I have ever considered it a kindness towards the crofter population of the district to treat them with firm decision as well as with justice and even with kindness, but to let them understand that they must submit to rule. They are Celts and by no other system can order be preserved among them.<sup>85</sup>

A long, nervous and heated correspondence was conducted between McIver and Kemball from 1884. This tension came to a head in mid-1884, when Kemball wrote a strongly-worded letter to McIver, condemning his poor attitude and firmly suggesting that he fall into line:

The negative answer [you have] given to every scheme for the amelioration of the condition of the crofters without alternative proposal to the same end is disappointing the expectations of those who entertain moderate and reasonable views of the situation ... Moreover, as I before warned you, the effect of continued inaction on our part must be to bring in outsiders, and deprive the Duke's responsible advisors of the control which is essential to a satisfactory issue.<sup>86</sup>

McIver gradually became aware that his view of the crofting system and its future was opposed to that evolving among the upper management and ducal family.<sup>87</sup> He was becoming an embarrassment in a new era and an obstacle to estate-sponsored reform, pre-empting changes likely to emerge from the Napier Commission, in the form of extensions of land to

<sup>82</sup> Tindley, *Sutherland Estate*, pp. 65–6, 94.

<sup>83</sup> SRO, D593, K/1/3/74, McIver to Kemball, 26 Feb. 1886.

<sup>84</sup> NLS, Acc. 10225, PP, 215, McIver to Kemball, 19 May 1884.

<sup>85</sup> NLS, Acc. 10225, PP, 215, McIver to Kemball, 22

Jan. 1886.

<sup>86</sup> NLS, Acc. 10225, Crofters ZN/a, Kemball to McIver, 3 Jul. 1884

<sup>87</sup> SRO, D593, K/1/3/70/c, McIver to Kemball, 8 Jul. 1884.

the crofters.<sup>88</sup> Conflict flared up. McIver was used to autonomy in decision-making; now he saw his decisions overturned and his ideology rejected.

Reforms regarded as only moderate in the eyes of Kemball and the ducal family were deemed absurdly radical by McIver.<sup>89</sup> ‘Assynt is crushed with rates wholly caused by the number of small tenants and cottars’, he wrote in 1886,

and to begin a new colony [of crofters] would just be adding a still larger burden already groaning under the assessments for poor, education, roads etc ... Emigration is the only true remedy for congested townships and nothing should be done to discourage or prevent the people from applying their minds to go the way of our Colonies.<sup>90</sup>

Again and again he wrote to Kemball to stress that the extension of crofters’ holdings in the Scourie management was simply a recipe for further poverty, and that emigration was the only real solution. But even McIver knew better than to suggest the estate management be seen to be actively encouraging emigration in such a volatile and hostile political context, adding to his sense of frustration and helplessness.

## V

McIver’s truculent resistance to the crofters’ demands derived from his lifelong scepticism regarding the crofters’ capacity to use the resources of the Highlands to any advantage – to themselves or anyone else. This adamant attitude placed him in a position of severe tension with Kemball and the duke. When Kemball resigned in 1886 he was replaced by R. M. Brereton upon whom McIver poured similar contempt. Brereton, ‘a Norfolk gentleman’, had been an engineer in India and North America. In Sutherland, ‘he became a perfect nuisance, asking for information on all sorts of subjects, many of them trivial and absurd’. According to McIver, Brereton possessed no tact or judgment.<sup>91</sup> McIver’s collision with him exceeded all previous tensions between the upper and middle layers of the estate management. In his later *Reminiscences*, Brereton openly condemned the state of thinking in the Sutherland properties. Without naming McIver outright, he denounced the management of the crofter community, describing how

some of the factors had been holding their local dictatorial authority over the crofters for nearly a life-time, so that the factorial authority was bitterly hated and resisted by the crofters generally at this period. The factors were being consistently abused and insulted; one of them was doused with rotten eggs.<sup>92</sup>

<sup>88</sup> Tindley, *Sutherland Estate*, pp. 76–7.

<sup>89</sup> NLS, Acc. 10225, Crofters ZN/a, Kemball to McIver, 3 Jul. 1884.

<sup>90</sup> NLS, Acc. 10225, PP, 216, McIver to Brereton, 8 Sept. 1886.

<sup>91</sup> Tindley, *Sutherland Estate*, pp. 86–8.

<sup>92</sup> Robert M. Brereton, *Reminiscences of an old English civil engineer, 1858–1908* (1908), p. 35. Kemball had received similar denunciations of the Suther-

land factors from John Mackay of Hereford, a campaigner for crofter interests. Mackay almost certainly had McIver in mind when he asked rhetorically, ‘Why should the factors make themselves so unpopular? Is there any necessity under the sun for it? Have they to do with uncivilised beings who must be repressed with a high hand? What can be the cause of all this friction? Want of tact, want of knowledge of human nature in factors ... They sow the wind, they reap the whirlwind!’



Brereton had been appointed to the Scottish estates in May 1886 (on £1,500 per annum) and he immediately devoted himself to 'going about freely and fearlessly among the crofters and face to face to listen to their alleged grievances and wants and assist, so far as my powers and duties to the estate permitted, in the well being of the crofter community. This policy did not please the factors'.<sup>93</sup> But it was popular with the crofters, and all the other tenants. Throughout his term of office, he claimed, he received no disrespect from the crofters and they became quieted in their attitude to the landlord. He had specifically cultivated a less aristocratic tone of administration, and encouraged a more democratic spirit.<sup>94</sup>

Brereton's appointment coincided with the climax of the crofters' agitation, a time when McIver was beside himself with anger, frustration and contempt: 'their minds are diseased', he fumed.<sup>95</sup> In the face of Brereton's liberalizing policy, McIver became exceedingly critical, asserting that the crofters and Brereton himself were entertaining totally absurd and unreasonable ideas which were against the interests of the estate.<sup>96</sup> The disagreement with Brereton became more damaging because Brereton attacked McIver's entire mode of estate management, past and present. In the process his authority and his ability to uphold the remnants of his factorial discipline over a chaotic, congested and radicalized agency were undermined. Their philosophical differences became focussed on the problem of Clashmore, the only place in Sutherland which had seen sustained crofter agitation since 1882 and had therefore attracted Brereton's particular and highly critical scrutiny.<sup>97</sup>

Clashmore was a crofter community on the Stoer Peninsula in Assynt which had been subjected to several partial reorganizations in the mid-century. In the late 1870s the Duke chose Clashmore as one of the sites for an expensive experiment to create new larger farms, partly as an example to the poorer sections of the estate population, partly to stimulate improved methods of production.<sup>98</sup> The plan required the relocation of crofters to new lots in the vicinity. In the outcome there was persistent, co-ordinated, physical resistance accompanied by noisy publicity beyond the estate. This popular resistance came early in the emergence of crofter revolt which spread widely across the Highlands and Islands in the following decade, heralding a serious politicization and radicalization of the crofters at large. Ultimately it sparked governmental intervention in the tenurial relations in the Highlands. Clashmore was a vital moment in the operations of the Sutherland estates and McIver found himself at the centre of the dispute which exacerbated his anger with the crofters and multiplied the problems of control in his own district.

Note 92 *continued*

SRO, D593, K/1/3/70/a, MacKay of Hereford to Kemball, 24 Jun. 1882.

<sup>93</sup> Brereton, *Reminiscences*, p. 24.

<sup>94</sup> For example, NLS, Acc. 10225, PP, 198, Brereton to McIver, 26 Feb. 1887; PP, 181, Brereton to John Box, 26 Feb. 1886.

<sup>95</sup> SRO, D593, K/1/3/74, McIver to Kemball, 28 Dec. 1883.

<sup>96</sup> SRO, D593, K/1/3/74, McIver to Kemball, 27 Feb. 1886.

<sup>97</sup> Tindley, *Sutherland Estate*, pp. 101–2.

<sup>98</sup> These changes were associated with controversial land reclamation investments in Kildonan and Shinness which rivalled the investments of the first Duke at the time of the clearances in the early part of the century. In their outcomes these later well-intentioned and widely publicised enterprises turned out to be total disasters in virtually every respect. McIver privately declared that they were foolish extravagances, adding as an aside, 'My advice was thrown away'. A. Tindley, "'The Iron Duke': land reclamation and public relations in Sutherland, 1868–95", *Historical Res.*, 82 (2009), pp. 304–6. McIver, *Memoirs*, p. 119.

From head office in London, Brereton repeatedly demanded from McIver a detailed account of the removals at Clashmore in the early 1870s. When at last he received the original correspondence about the Clashmore scheme, he asked pointedly: 'Why is it that there is more discontent and more bad feelings shown in the Stoer district than in any other portion of the Sutherland Estate? ... May it not be fairly traced to the clearances made ... in Clashmore and to the fact that the people who were removed had a real grievance?'<sup>99</sup> The two men's ideas about estate management were incompatible. Brereton became increasingly exasperated by McIver's obstinacy and obstruction to all change, but there were also principled differences over the essential purposes of estate management.<sup>100</sup> Brereton lectured McIver:

It is the duty and business of the Estate Management to try and find out what is the best for the people as well as for His Grace's interests, both present and future. Nothing can be worse for the estate than a chronic feeling of discontent and spirits of mischief ... Your gospel appears to be no forgiveness, no enlargement of existing crofts and nothing but the cold steel. This won't do in the present age.<sup>101</sup>

This was heavy criticism not only of McIver's current management, but also of his record over the past forty years, and served as a measure of the complete breakdown of relations between McIver and Brereton.

Brereton made his disapproval of McIver painfully and publicly obvious during his visits to the Scourie district in 1887 and 1888. On these occasions Brereton chose not to inform McIver of his visits, refused to meet him or to stay as his guest. It was a rupture of protocol unprecedented on the Sutherland estate, sending McIver into fury.<sup>102</sup> Until this time the working relationship between McIver (and all the Sutherland factors) and the Commissioners was principally carried on by post, rather than in person. The Commissioner traditionally spent little more than two weeks a year visiting the northern domains of the Sutherland family, making any personal visits very important and rare occasions, especially in the remoter Scourie management. Brereton's three visits in 1887–88, prompted by the turmoil afflicting Assynt, unsettled McIver who was unused to such microscopic attention. More importantly however, by refusing to stay with McIver, Brereton was distancing himself from the old factor and removing any lever of influence McIver might have hoped to hold over him. McIver complained in strong terms: his authority as factor had been snubbed by the Commissioner, but he was equally concerned that the crofters would be emboldened to air their grievances against his entire management:

I feel hurt that you did not inform me of your intention, as I would have asked to accompany you and hear and see what was said and done ... You could not have done anything more calculated to injure my authority and position here – it is sure to be construed as a want of confidence ... You will forgive me for addressing thus to you, but this being the first time during the 42 years I have been here that either Landlords or Commissioners came to any

<sup>99</sup> NLS, Acc. 10225, Farms, 25, Brereton to McIver, 11 Feb. 1888.

<sup>100</sup> NLS, Acc. 10225, Farms, 25, Brereton to McIver, 11 Feb. 1888.

<sup>101</sup> NLS, Acc. 10225, Farms, 25, Brereton to McIver, 8 Feb. 1888.

<sup>102</sup> NLS, Acc. 10225, PP, 216, McIver to Kembell, 14 Mar. 1887.

part of the district without informing me of their intention and asking me to visit them you must not be surprised that I felt your doing so as a slight and likely to injure my authority and my usefulness here.<sup>103</sup>

Brereton was evidently freezing him out of the Sutherland management, particularly in the development of policy. It was a clash of authority and personality, but it was also fuelled by McIver's refusal to accept the new political and legislative context of Highland estate management from 1886. Neither Kemball nor Brereton was able to explain, cajole or force McIver to come to terms with the powers of the 1886 Crofters Act and the Crofters Commission it established to fix rents and arrears and grant land extensions.<sup>104</sup>

The Crofters Act marked a discontinuity in the Highlands at large and it divided the men who managed the great estates. McIver maintained his opposition despite the liberal tendencies of his superiors and colleagues. For Brereton and the duke, some degree of active co-operation with the work of the Crofters Commission was in the interests of the estate. As Brereton never ceased to point out to McIver, 'I find you do not clearly follow my view of the action we should follow in these matters. I wish to avoid playing into the hands of the Land League Agitators, and to work as much as we can upon the lines of the Crofters Act of 1886'.<sup>105</sup> McIver held a diametrically opposite view; he felt that every application brought by the Scourie crofters to the Crofters Commission should be contested, in the interests of the estate: 'I think there are many objections to the Duke's appealing to the Commissioners to fix fair rents *for the whole of his crofter holdings*. My opinion is that the Duke desires the pecuniary benefit from the crofters'.<sup>106</sup> Thus opposed in fundamentals, by 1888 the unresolved conflict between McIver and Brereton threatened to paralyse the entire estate administration.

Clashmore remained the point of greatest contention and sensitivity. Brereton continued to probe the past circumstances relating to the original clearances executed in order to reclaim Clashmore farm in the early 1870s, and he was highly critical of them.<sup>107</sup> McIver disagreed but found that Brereton's views were gathering the support of the Duke and Lord Stafford, no doubt affected by the continuing agitation among the crofting and cottar community and their supporters in the press. He wrote to Brereton in surprisingly vulnerable vein in January 1888 during the height of the opposition there, confiding,

I cannot help feeling very anxious about all matters connected with this farm, considering how much I have been mixed up with it I must be much interested in all that occurs regarding it, and the future action of His Grace's advisors in regard to it.<sup>108</sup>

McIver, most of all, did not want to sacrifice his own reputation on the altar of crofting reform. He reminded Brereton a month later that he had done nothing at Clashmore without

<sup>103</sup> NLS, Acc. 10225, PP, 216, McIver to Brereton, 7 May 1887.

<sup>104</sup> That is, McIver remained effectively immovable until the end of his career, and fought intensely against the 'decline and fall' faced by his ducal superiors; McIver, *Memoirs*, p. 82; D. Cannadine, *Decline and fall*, pp. 25–32; Cameron, *Land for the people*, p. 40.

<sup>105</sup> NLS, Acc. 10225, PP, 198, Brereton to McIver, 9

Apr. 1887.

<sup>106</sup> NLS, Acc. 10225, PP, 216, McIver to Brereton, 1 Mar. 1887 (italic is underlined in the original).

<sup>107</sup> NLS, Acc. 10225, PP, 198, Brereton to McIver, 6 May 1887.

<sup>108</sup> NLS, Acc. 10225, PP, 216, McIver to Brereton, 23 Jan. 1888.

the approval of the Commissioner, George Loch, and ultimately the Duke: 'There is one thing certain that nothing was done without the knowledge and authority of Mr Loch, who no doubt kept His Grace informed fully, and if there were errors made I cannot be held liable for them – it is easy to find fault now for the past, as it will be for those who come after us to pick holes in what we are doing'.<sup>109</sup> This extraordinary statement was a direct repudiation of the assumed factor's responsibility to absorb all managerial unpopularity. It was a reversal of protocol and a sign of the intensity of the administrative breakdown. Ultimately it was a conflict over the very nature and diagnosis of the 'Highland Problem'. McIver was caught between the upper management and the crofters, and found this an extremely uncomfortable position.<sup>110</sup>

Since the 1840s the political and economic context of land reform in the Highlands had shifted decisively. McIver's views on the crofters and crofting economy remained unmoved, but those of Brereton and the ducal family had shifted towards a more moderate position in favour of reform. It was surprising that, in 1888, the ageing McIver survived (and remained in his post until 1895) and the third duke dismissed Brereton.<sup>111</sup> The duke expressed his regret but couched the decision in terms of Lord Stafford being keen to get into harness. It was an astonishing decision, taken at a time when the government began to intervene decisively in the administration of Highland estates. It may have reflected the duke's appreciation of McIver's long and loyal service but also recognition that the authority of the local estate management had to be upheld.<sup>112</sup> Brereton himself blamed 'the hostile element working against my democratic policy in the management, which had made false statements to Lord and Lady Stafford'.<sup>113</sup>

McIver's unlikely survival paralleled the somewhat unexpected consequences of the changes ushered in by the Crofters Act of 1886. The outcome was substantially less radical and disruptive than many landlords had feared.<sup>114</sup> For himself, McIver had been extremely anxious about the first visitation of the Crofter Commissioners in the wake of the 1886 Act. He described his appearance before them as 'a great responsibility'.<sup>115</sup> Each occasion was an ordeal in which he faced recurring accusations against his management, especially concerning Clashmore farm, which shocked him more than he could express.<sup>116</sup> Even more surprising to McIver was the way in which the Crofters Commission had been ready to make concessions to the crofters, 'against my will and opinion'.<sup>117</sup> Clearly, McIver was unable to accept that his opinions were to be rejected and the demands of the crofting community to be treated with greater credence by the new government agency in the Highlands. This rejection of his personal authority and reputation was more difficult for him to accept than the legislative principles introduced by the Act.

In the upshot, the practical results of government reform after 1886 were relatively minor, as

<sup>109</sup> NLS, Acc. 10225, PP, 216, McIver to Brereton, 14 Feb. 1888.

<sup>110</sup> NLS, Acc. 10225, PP, 216, McIver to Henry Wright, 17 Jan. 1888.

<sup>111</sup> NLS, Acc. 10225, PP, 200, Brereton to McIver, 19 Jun. 1888; PP, 200, Wright to McIver, 6 Jun. 1888.

<sup>112</sup> Tindley, *Sutherland Estate*, p. 89.

<sup>113</sup> One allegation related to a scheme for selling local woollen products at Golspie which slurred Lady Stafford. The accusation was groundless according to

Brereton, but he nevertheless left the management: Brereton, *Reminiscences*, pp. 35–8.

<sup>114</sup> Tindley, *Sutherland Estate*, p. 100.

<sup>115</sup> NLS, Acc. 10225, PP, 216, McIver to Brereton, 5 Jun. 1888.

<sup>116</sup> NLS, Acc. 10225, PP, 216, McIver to MacBrayne (Clashmore's tenant), 7 Dec. 1888.

<sup>117</sup> NLS, Acc. 10225, PP, 216, McIver to MacBrayne, 7 Dec. 1888.

had become clear by the early 1890s.<sup>118</sup> The main consequence for the Scourie management was that the Crofters Commission in 1888 determined on enlargements to townships totalling 6,500 acres, but in practice these enlargements were paralysed by the inability of the crofters to fence their new land, and in many cases, pay the higher rents as determined by the Commission.<sup>119</sup> Nevertheless, McIver was still preaching resistance to the crofters into his retirement, remaining the 'King of Scourie' to the end.<sup>120</sup>

## VI

Evander McIver died in 1903, aged 92, having outlived most of his contemporaries and all but one of his own children. In his will and testament he left £3,140 9s. 3d., which suggests that, while far from poor, he had not grown rich in his long career in Scourie.<sup>121</sup> He had spent fifty years wrestling with the essential contradictions built into the Highland economy and estate management from the end of the period of clearances to the dawn of the twentieth century.

Under the early Loch regime the great experiment to revolutionize the Sutherland estate had been implemented, with the creation of massive sheep farms and the parallel development of a diversified coastal economy for the crofters.<sup>122</sup> The intellectual and financial commitment to 'Improvement' had been unrestrained but, ultimately, the results were at best equivocal. Several generations of Sutherland factors and managers had to cope with the problem that remained, namely a crofting system which left most of the population trapped in poverty. Meanwhile the large farms, and later, commercial sport, prospered and kept the finances of the estate afloat.

McIver and his contemporaries therefore inherited a broken-backed system in which they had little faith.<sup>123</sup> He openly condemned the crofting system as a complete failure, entrenching a vulnerable, poverty-stricken, anachronistic, self-perpetuating community, further exacerbated by the uncontrolled proliferation of the cottar population.<sup>124</sup> With little or no capital, and a benevolent landlord who rescued them from the periodic economic crises that descended, they possessed no resources or incentive to better their position and too little enthusiasm for emigration.

<sup>118</sup> Cameron, *Land for the people*, pp. 52, 54–5, 59–61; Tindley, *Sutherland Estate*, p. 100.

<sup>119</sup> BPP, 1890–1, LXIII, *Report of the Crofters Commission*, 31 Dec. 1888–31 Dec. 1889, and BPP, 1896, LXVIII, *Report of the Crofters Commission*, 31 Dec. 1894–31 Dec. 1895. In 1891, the Commission again attempted to resolve the issue, and McIver crowed with pleasure over the outcome: 'No decisions were amended ... The Commissioners are very much annoyed and incensed by the conduct of the parties who did not erect the fences as ordered, and they laid down the strongest rules and fixed dates for the completion of these fences intimating that if they did not complete the work on these dates they would reconsider the former assignation of land and deprive them of the land altogether ... I think this visit of the Commissioners will do good in Assynt,

Sheriff Brand [Chairman of the Crofters Commission] was very decided with the crofters'. NLS, Acc. 10225, PP, 217, McIver to Wright, 17 Jul. 1891. McIver interpreted the actions of the Commission as an official re-assertion of traditional 'discipline' over the crofters and, within three years of the Act, it became perfectly clear that the consequences were far less radical than had been anticipated by either side of the campaign.

<sup>120</sup> McIver, *Memoirs*, p. 310.

<sup>121</sup> National Archives of Scotland, SC9/36/10, will and testament of Evander McIver, 30 Mar. 1903.

<sup>122</sup> Tindley, *Sutherland Estate*, p. 167.

<sup>123</sup> *Ibid.*, p. 32.

<sup>124</sup> SRO, D593, K/1/3/70/c, McIver to Kembal, 2 May 1884.

In the bluntest terms, McIver declared repeatedly that the crofter system, which he was required to manage, was rotten to the core. This was the crucial and tragic contrast between McIver and his predecessors; he did not believe in the improvability of the small tenantry, and their best course was to evacuate the region.<sup>125</sup> Consequently, McIver defined his responsibility as being to manage a hopeless and unworkable system. In reality this meant keeping control over its excesses, curbing its losses and limiting the tendency of a poverty-stricken population from increasing. It meant tidying up some of the holdings, of regularizing the squatters, actively discouraging improvident marriages, and bringing the people of Scourie under discipline even if their rents were paltry.

McIver always talked about the extreme difficulty of management in Assynt in particular, 'with its swarm of Crofters and Cotters'.<sup>126</sup> In retrospect it seems unlikely that the interests of the community were best served by a man who had only contempt for the crofting system and for which he accepted no original responsibility. He never believed that crofting was a viable system; instead he was convinced that he was dealing with a moribund institution, an illogical and uneconomic system with no possible future.<sup>127</sup> In November 1885 he asserted that, 'the crofter system is rotten; it is impossible under it for the people ever to be happy or prosperous'.<sup>128</sup>

Throughout his extraordinarily long service to the Sutherland estate McIver sustained this consistent and forthright philosophy on 'the Highland Question'. The drama of the crofters' agitation and the intervention of the Crofters Commission in the 1880s multiplied all of McIver's fears and accentuated his disdain. When the crofting system was protected and later extended in law by the 1886 Crofters Act, he resisted on all possible grounds, and felt events had taken a ruinous turn for the worse for the landed classes and Highland region generally.<sup>129</sup> It seemed to give official sanction to a system in which he had no faith. He faced the turmoil and then the triumph of the crofters. He exhibited all the symptoms of frustration, despair, cynicism and anger. He was in effect now forced into a new role of Highland factor: namely working alongside government agencies in the management of Highland estates, an idea he found abhorrent and which probably contributed to his retirement in 1895.

Indeed, throughout his life McIver sustained a long argument about the past, present and future of the northern Highlands which brought him into conflict not only with the common people of Scourie but with other estate administrators. His own public reputation among the people over whom he reigned had suffered and worsened and he faced undercurrents of opposition from above and below, even to the point of outright hatred. The final ignominy for McIver was the spectacle of the dismemberment of the great Sutherland estate when the fourth duke sold off large swathes of land from the late 1890s. He declared at the end, 'I am vexed and broken in spirit by the sale of so much of this fine estate that I cannot think, speak or write about it with patience'.<sup>130</sup> He perhaps died a sad and disappointed man.<sup>131</sup> He

<sup>125</sup> NLS, Acc. 10225, PP, 217, McIver to Wright, 21 Jun. 1890; *Napier Commission, Evidence*, p. 1707; McIver, *Memoirs*, p. 213.

<sup>126</sup> SRO, D593, K/1/3/71, McIver to Kemball, 2 Sept. 1885.

<sup>127</sup> Others thought the same: see Cameron, 'Poverty,

protest and politics', pp. 220-1.

<sup>128</sup> McIver, *Memoirs*, p. 180.

<sup>129</sup> *Ibid.*, p. 280.

<sup>130</sup> *Ibid.*, p. 281; Tindley, *Sutherland Estate*, pp. 171, 91, fn 22.

<sup>131</sup> Tindley, *Sutherland Estate*, p. 171.

was certainly demonized, the very personification of the overbearing Highland factor of the north-west Highlands.<sup>132</sup>

Yet in his last years McIver claimed that the crofters had settled into a more peaceful condition and were contented in their lots. They were in a calmer frame of mind and their living standards, under the continuing paternalism of the aristocratic owners, were somewhat improved. The world had righted itself and somehow proved him correct in his deepest judgements. Certainly the Crofters Commission had not solved the Highland problem.<sup>133</sup> In his *Memoirs* he noted the improvement of living standards, despite everything:

The population of our parishes was becoming smaller each decade since I came here, by the migration southward of young people and the emigration yearly of a few, and no doubt this tendency to leave home will increase as Education spreads and the ability to talk English increases. This is a healthy result and will I think produce good effects tho' it is a slow process.<sup>134</sup>

This was his solution to the crofting problem and it was only partially achieved in his lifetime. The irony of McIver's defeat in the argument about crofting was the fact that, after the reforms of the Crofter Commission were introduced, in the years 1891 to 1921, the population of Scourie at last began to diminish at an accelerating rate.<sup>135</sup>

Ultimately, despite the *sturm und drang* of the warring times, the core of the 'crofting problem' remained. McIver had conceded that he had not been able to rationalize or reduce the crofting population. In reality the crofters had resisted the changes sought by the estate and the factors; indeed, despite their poverty and isolation, they had persisted into the twentieth century, clinging on against all odds.<sup>136</sup> It was, in some ways a triumph of their spirit or, less progressively, a triumph of inertia.<sup>137</sup> The old equilibrium survived, despite McIver, despite poverty.

<sup>132</sup> See for instance, I. Grimble, *The trial of Patrick Sellar* (Saltire Society, Edinburgh, 1993; first edn, 1962). Grimble characterized McIver as a 'buffoon', a 'lickspittle', and a 'snob'; a man who delighted in, 'fawning on his foreign masters', while he guided them though, 'the romantic splendour of his devastated country', pp. 143, 145, 149–50. Even his most fervent supporter, the Rev. George Henderson, the Established minister of Eddrachillis, testified to McIver's 'hasty temper' and 'love of rule', while explaining that these characteristics were mellowed by his 'inborn sense of the mean between excess and defect'. McIver, *Memoirs*, pp. 329–30.

<sup>133</sup> Cameron, *Land for the people*, pp. 55–7; Hunter, *Crofting community*, pp. 162–4.

<sup>134</sup> NLS, Acc 10225, Factor's Correspondence, 1954, McIver to eighth duke of Argyll, 24 Oct. 1883

<sup>135</sup> Tindley, *Sutherland Estate*, 169; Assynt experienced a 44.2% decrease in population between 1891 and 1911; *Census of Scotland, 1911* (1912), p. 2233.

<sup>136</sup> Tindley, *Sutherland Estate*, p. 21.

<sup>137</sup> A much later success was registered in the acquisition of the North Lochinver Estate in Assynt by the resident community in 1993: see John MacAskill, *We have won the land* (1999).